

**From:** Capitol Letter  
**Sent:** Tuesday, October 3, 2017 6:17 AM  
**To:** Miller, Brad  
**Subject:** Debate over lead regulation returns to Statehouse

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Tuesday, Oct. 3, 2017



# Capitol Letter

Laura Hancock and Jeremy Pelzer



Flags were flown Monday at half-staff at the Ohio Statehouse in honor of the victims of the Las Vegas mass shooting.

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## **Rotunda Rumblings**

**Weighty debate:** Public health agencies across Ohio are keeping an eye on House Bill 299, which would make the Ohio Department of Health -- not local governments -- the ultimate lead abatement regulator. Rep. Derek Merrin, a Monclova Township Republican and real estate investor, is sponsoring the measure, which is identical to an amendment in the budget bill that the Senate removed.

The Ohio Association of Realtors in the past has supported Health Department authority over lead but hasn't taken a position on the bill, said spokesman Carl Horst. John Sobolewski of the Cuyahoga County Board of Health said the current system allows local agencies to create regulations beyond what the state law requires.

**Drug trade:** Beginning Tuesday, the state will accept applications from businesses that want to be one of 18 medical marijuana dispensaries. The state previously divided up Ohio by region and decided the number of pot shops in each.

**Another day, another dollar:** Businesses will pay workers more starting Jan. 1, when the minimum wage for non-tipped employees will increase from \$8.15 to \$8.30 an hour, and \$4.08 to \$4.15 an hour for people who earn tips. The new wages will apply to businesses with annual gross receipts of more than \$305,000 a year. A 2006 constitutional amendment requires Ohio minimum wages to increase on the first of each year with the inflation rate, according to the Ohio Department of Commerce.

**Take that, North Carolina:** State Rep. Rick Perales, a Beavercreek Republican whose district includes Wright-Patterson Air Force Base, has reintroduced legislation to add the Wright Brothers' airplane to the Ohio state seal.

## Stories We're Talking About

**Guess who's back:** You'll soon be seeing a lot more of Democratic former U.S. Rep. Dennis Kucinich. On Monday he officially announced his support for Issue 2 and vowed to appear in campaign ads and make appearances

around the state, Capitol Letter's Jeremy Pelzer reports for cleveland.com. A spokesman for Issue 2 called Kucinich's backing of the drug pricing issue a "game changer."

**Tax cuts?:** Not really. Issue 2 backers released a commercial saying the ballot initiative would cut taxes for Ohioans. But there is nothing related to taxation in Issue 2, reports cleveland.com's Seth Richardson. Nevertheless, the proponents are standing behind the claim.

**Super supporters:** President Donald Trump superfans and internet trolls Mike Cernovich and Jack Posobiec – made infamous by their amplifying the Pizzagate conspiracy theory – are forming a political action committee called #Rev18. The first candidate they'll support? Republican Ohio Treasurer and U.S. Senate candidate Josh Mandel, reports cleveland.com's Stephen Koff. Mandel, Cernovich and Posobiec have been chummy in recent weeks, with Mandel attacking the Anti-Defamation League over its criticism of Cernovich.

**Let the sun shine:** Good news, transparency advocates: The Ohio Court of Claims is freeing up public records requests that used to be caught in the system. And they're doing it for much cheaper than before, per The Columbus Dispatch.

**Smoke 'em if you got 'em:** A pro-pot advocate in Springfield is pumped that the city lifted the ban on medical marijuana, according to the Springfield News-Sun. Springfield originally instituted a six-month ban in August 2016, which was extended in February and July.

## What's Going On Today

**9:30 a.m. -- Anti-domestic violence news conference:** The Ohio Domestic Violence Network will recognize October as National Domestic Violence Awareness Month, present leadership awards and release domestic violence fatality data. *Museum gallery, Ohio Statehouse.*

**10 a.m. -- Ohio Construction Industry Licensing Board, Electrical Section:** *Division of Industrial Compliance, 6606 Tussing Road, OCILB*

*Conference Room, Reynoldsburg.*

**10:30 a.m. to 1:30 p.m. -- Pearl Market:** Food, crafts and local produce will be for sale. *19 N. Pearl St.*

**1 p.m. to 4 p.m. -- BRAC & Military Affairs Task Force meeting:** The task force will hear briefs from the Navy/Marine Reserve, the Army Reserve, the Army Guard, and the Air Guard. *Rickenbacker Air National Guard base, 7370 Minuteman Way, Lockbourne.*

## **Five Questions**

Micah Derry is the state director for the Ohio chapter of Americans for Prosperity. Before his current job, Derry served as a legislative aide and deputy director of legislative and policy affairs for Ohio Treasurer Josh Mandel.

*1. What is AFP-Ohio working on now at the Statehouse?*

"We are working on both education opportunity, which is House Bill 200 and Senate Bill 85. And also, local government authority and control in contracting, which is Senate Bill 72 and House Bill 163."

*2. Are you guys getting involved in the 2018 campaign?*

"We will be involved in voter education next year. Specifically what, I'm not sure at this time."

*3. I wanted to get your take on the likelihood of tax reform, both at the national level and continuing tax reform on the state level.*

"I actually just got back from being in D.C. for several days meeting with the Ohio delegation. And one of the things that's clear is there's a strong consensus that something does need to happen."

*4. You're doing a tour of all of Ohio's 88 county courthouses on your Harley. How far along are you?*

"I am through 82 counties. I've got six to go. I would've already finished, but right now the motorcycle's on blocks getting a makeover. ...I think it's going to be a spring project to finish this up."

*5. Where do you like to go to eat around Capitol Square?*

"A place on the West Side. It's a bar with cinder block walls near railroad tracks. It's called Johnny's tavern. And it's got, I believe, the best burger in town. The people in there are always incredibly friendly – I just don't recommend going there in a suit."

## **Full Disclosure**

Five things we learned from the May 15 ethics filing of state Rep. Christina Hagan, an Alliance Republican who is also running for the U.S. House in the 16<sup>th</sup> Congressional District:

1. She made less than \$999 last year working for Hagan Heating and Plumbing, her family's business, where she worked as an apprentice/technician assistant.
2. She owed more than \$1,000 on her Macy's American Express card in 2016.
3. She racked up \$8,350 in expenses traveling for events of the American Council of Young Political Leaders, an international exchange program. Hagan went to New Zealand and learned about its government, visiting the country's parliament in November 2016.
4. The state reimbursed her \$3,866.72 in travel between home and Columbus for legislative work.
5. The Ohio Cable Telecommunications Association gave her baseball tickets on July 9, 2016 worth \$92.

## Birthdays

Edward F. Noyes, Ohio's 30th governor (1871-1872)

## Straight From The Source

"Now we must take action to address the epidemic of gun violence in this country."

*—Senate Minority Leader Kenny Yuko, a Richmond Heights Democrat, condemning the deadly shooting in Las Vegas.*

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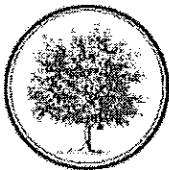
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October 3, 2017

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### **The Buckeye Institute: Utility Subsidies Hurt Competition and Hurt Ohio**

**Columbus, OH - The Buckeye Institute's** Greg R. Lawson testified (see full testimony below) today before the Ohio House Public Utilities Committee on the proposed bailout for the Ohio Valley Electric Corporation that is outlined in House Bill 239.

**In his testimony**, Lawson discussed the negative impacts government subsidies and bailouts can have. "When governments intervene in the energy market, or any business, policymakers allow for unfair advantages at taxpayer expense, and energy companies that do not receive the benefits of a government bailout are often unable to offer their services competitively."

Lawson went on, "Providing subsidies also negatively impacts the state's employment and economy. Similar to Ohio's renewables portfolio standards, which The Buckeye Institute



**analyzed earlier this year**, this Ohio Valley Electric Corporation (OVEC) bailout will lead to lost job opportunities and wasted economic potential."

The Buckeye Institute isn't the only group to note the negative impact the proposed subsidies would have. The **Legislative Service Commission estimated** that the OVEC charge, if approved, would cost all Ohio electricity customers nearly \$257 million per year for the next 24 years.

On closing, Lawson urged policymakers to fully restructure Ohio's energy market saying, "For far too long, we have been caught in a strange hybrid where regulated investor-owned utilities retain generation capacity through affiliates, and utilities are able to use electric security plans to pile additional generation charges, like the proposed OVEC charge, on top of the market price. This has led to significant long-term problems where the market has not been allowed to be fully functional. Consequently, the promises of restructuring have only been partially fulfilled."

###

**Interested Party Testimony Submitted to the  
Ohio House Public Utilities Committee on  
House Bill 239**

**Greg R. Lawson, Research Fellow  
The Buckeye Institute for Public Policy Solutions  
October 3, 2017**

Thank you Chairman Cupp, Vice Chair Carfagna and Ranking Member Ashford for the opportunity to testify before the Ohio House Public Utilities Committee. My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute for Public Policy Solutions**.

The Buckeye Institute, a defender of free-market principles, has long supported economic growth through competitive means. Our position is that markets should be free from government subsidies or regulations that help particular businesses or industries.

Since the late 1990s, Ohio has moved toward competitive, customer-centric electricity markets. As electricity rates have risen across the country, Ohio and other states with restructured wholesale markets have enjoyed cheaper electricity due to a more competitive

market. The deregulation of Ohio's market has increased competition and given consumers more choices and control over meeting their energy needs.

Unfortunately, it is not unusual for industries and businesses to ask governments for subsidies or bailouts, to pay for declining business. Bailouts, however, end up distorting economic activity and often slow long-term growth in the state. Worse still, "non-bypassable" riders require all customers to pay for the bailout through increased electricity bills.

When governments intervene in the energy market, or any business, policymakers allow for unfair advantages at taxpayer expense, and energy companies that do not receive the benefits of a government bailout are often unable to offer their services competitively. Subsidies can also inhibit new developments and technological advancements from entrepreneurial companies that do not receive special government backing, thus slowing long-term growth and innovation.

Providing subsidies also negatively impacts the state's employment and economy. Similar to Ohio's renewables portfolio standards, which The Buckeye Institute analyzed earlier this year, this Ohio Valley Electric Corporation (OVEC) bailout will lead to lost job opportunities and wasted economic potential. In looking at Ohio's renewables portfolio standards we found that even relatively small artificial increases in electricity prices cost Ohio tens of thousands of jobs and several billion dollars in GDP.[1]

In fact, the Legislative Service Commission's conservative estimate is that the OVEC charge, if approved as proposed, would cost all Ohio electricity customers nearly \$257 million per year for the next 24 years.[2]

Of equal concern, is the contagious nature of subsidies and bailouts. Joe Bowring, president of Monitoring Analytics, said in a recent interview, "If one owner receives special subsidies, it is the fiduciary duty of other unit owners to seek comparable subsidies." [3] Eventually, either everyone will receive a government subsidy or government will step back and allow customers and the market to decide who succeeds.

Subsidies also reward companies for poor choices and bailout companies that could have avoided their current crisis. While the companies involved in OVEC were involved in something of a shotgun marriage during the Cold War, those unique national security issues have long since disappeared. Well after the Ohio energy market was restructured to be competitive, OVEC companies twice voluntarily extended the contract that now goes until June 2040. Allowing for ongoing subsidies is an example of moral hazard that

effectively rewards questionable decisions and signals to other companies that they too can be made whole irrespective of the wisdom of their decisions.

Ultimately, Ohio needs a full restructuring in its energy markets. For far too long, we have been caught in a strange hybrid where regulated investor-owned utilities retain generation capacity through affiliates, and utilities are able to use electric security plans to pile additional generation charges, like the proposed OVEC charge, on top of the market price. This has led to significant long-term problems where the market has not been allowed to be fully functional. Consequently, the promises of restructuring have only been partially fulfilled.

Rather than continuing to move the market toward complete restructuring, the OVEC bailout runs the risk of preventing that policy from moving forward. This would be a missed opportunity to improve competition, lower energy prices for consumers, and strengthen Ohio's economy

Thank you for your time. I look forward to answering any questions from the committee at this time.

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[1] Orphe Divounguy, PhD, Rea S. Hederman Jr., Joe Nichols, and Lukas Spitzwieser, *The Impact of Renewables Portfolio Standards on the Ohio Economy*, March 3, 2017.

[2] Fiscal Note and Local Impact Statement on House Bill 239 of the 132 General Assembly.

[3] R Street Shorts No. 40, "The Market Advantage: A Q&A with Joe Bowring," June 2017.

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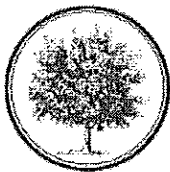
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### Keeping the Power On, Rain or Shine

**By Quinn Beeson**  
**October 4, 2017**

In the wake of several devastating natural disasters has come a greater appreciation for our ability to plug in wherever and whenever. As our focus is on those in need and without power in the wake of the recent hurricanes, as well as their families and countless volunteers, we can't help but also think of our own families and communities here in Ohio. Although not faced with any major natural disasters recently, many Ohioans still worry about keeping the power on, as we face uncertain **price hikes** due to subsidies meant to 'save' several failing coal and **nuclear power plants**.

To ensure low electricity prices, Ohio must create a competitive power market by restructuring the state's utility industry. This can happen if Ohio does two things. First, the major, regulated utilities need to sell their power plants to independent companies so that they don't control the production and distribution of electricity. Second, Ohio needs to eliminate government subsidies to energy companies and rely on market-based pricing.

A wholly **competitive energy market** does not work when regulated utilities receive government handouts. Healthy competition keeps prices low and encourages innovation, meaning wider services and more choices for Ohioans. In addition, a functioning competitive market makes sure that companies suffer the consequences of their poor decisions, rather than making hardworking Ohioans foot the bill.

Bailing out energy companies that make bad business decisions by making us, the taxpayer, cover their costs would be no different than the government making you eat at a restaurant that had terrible service and was going out of business just to keep it open.

Subsidies are essentially bailouts for failing power plants, paid for by Ohioans rather than the companies themselves. Subsidies for various coal and nuclear power plants will lead to a rise in your utility bills and will increase the burden on struggling families and businesses in Ohio.

The good news is, Ohio doesn't need these subsidies to succeed, just the opposite in fact. Our state is seeing new power plants being built that will generate power from **natural gas, solar, and wind energy**. The outlook for energy production in Ohio is increasingly sunny and politicians need to refrain from tampering with the market and endangering these new technologies.

When state or federal politicians intervene in the energy market by making tweaks such as requiring subsidies or burdensome regulation, they introduce more uncertainty and risk, which upsets the balance of the energy market, often shifting the costs into the laps of people like you.

There is large demand for power in today's world, and the widespread power outages due to recent natural disasters remind us of that. The best way to provide enough stable, cheap electricity to meet the high demand in Ohio and elsewhere is to keep politics out of the market.

As my colleague **Greg Lawson pointed out in testimony** opposing subsidies and bailouts for utility companies, "As electricity rates have risen across the country, Ohio and other states with restructured wholesale markets have enjoyed cheaper electricity due to a more competitive market. The deregulation of Ohio's market has increased competition and given consumers more choices and control over meeting their energy needs."

If Ohio is going to continue to grow economically it needs to have cheap and reliable energy for its businesses and its citizens. To achieve this, policymakers need to deregulate the state's energy markets, require regulated utilities to sell power plants so they don't control the production and distribution of electricity, and they need to eliminate government subsidies and bailouts to energy companies which force Ohioans to pay for bad business decisions.

It is time for Ohio's energy companies to compete fairly so we can keep the power on, rain or shine.

*Quinn Beeson is the economic research analyst at The Buckeye Institute.*

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Tuesday, Oct. 10, 2017

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# Capitol Letter

Laura Hancock and Jeremy Pelzer





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## Rotunda Rumblings

**Cutting them off:** Lawmakers are playing bouncers with House Bill 259 – legislation that seeks to create a database of people who commit violent crimes in bars so owners can refuse them entry to their watering holes. Being 86'd wouldn't last forever; offenders would have their names removed after three years. The bill, which is in the House Criminal Justice Committee, is sponsored by Reps. Thomas West, a Canton Democrat, and Bill Seitz, a Cincinnati Republican.

**Every dog has its day:** Have to decide between hanging out with your dog and grabbing a drink on an outdoor patio? Dog owner and state Rep. Laura Lanese doesn't want you to have to choose. The Grove City Republican's bill, House Bill 263, would allow pooches on outdoor patios of restaurants, bars, and cafes (current state rules generally prohibit live animals near such establishments). Individual proprietors, though, would still be allowed to ban dogs on their premises. Supporters of the measure are set to give committee testimony on Tuesday.

**Getting personal:** Backers of the Issue 2 drug pricing initiative on Monday went after Dale Butland, the spokesman for the opposition campaign funded by Big Pharma. The main pro-Issue 2 group noted Butland supported a bill 14 years ago that was also aimed at saving money on prescriptions. At the time, Butland was critical of the Pharmaceutical Research and Manufacturers of America, which is pouring millions into the campaign he now works for. Butland told Capitol Letter he's worked for affordable prescription prices throughout his career, but he doesn't believe Issue 2 will help people.

**Hear out this sales pitch:** Say what you will about Amway and Mary Kay, but don't call them pyramid schemes. At least, that's what Rep. Dorothy Pelanda wants to make clear in Ohio law. Her bill, House Bill 329, would redefine the state's definition of a "pyramid scheme" at the request of several Ohio "direct-selling" companies to preemptively make sure they're not slapped with the label. Eleven other states have passed similar laws; Pelanda said she hasn't heard of any opposition to the bill, which gets a second House committee hearing Tuesday.

## Stories We're Talking About

**Payday loophole:** While the Consumer Financial Protection Bureau recently issued

federal rules to check payday and auto title lenders, they likely won't affect Ohio's industry, according to public radio reporter Matt Richmond. That's because of a loophole that lets them operate as "loan brokers" and avoid the federal rules.

**Lights out:** In the latest installment of "Don't Invest Your Marijuana Money Here," West Carrollton near Dayton is scheduled to take up a ban on marijuana this week. That puts it in league with nearby communities Oakwood, Huber Heights and Butler Township.

**Tax on, tax off:** The good news is the 2020 Tax Policy Study Commission released a 320-page report. The bad news is 317 pages are simply copies of testimony, and the recommendations don't start until page 319. Ohio has been famous for cutting taxes the past six years, but will it ever get serious about cutting tax breaks? That's the question Jim Siegel of The Columbus Dispatch posed. A need to examine tax breaks is one of the few political positions both Zach Schiller of the left leaning Policy Matters Ohio and Greg Lawson of the right leaning Buckeye Institute can get behind.

**Step away from the keyboard:** A campaign team member for U.S. Rep. Jim Renacci made some questionable meme decisions last week, reports cleveland.com's Seth A. Richardson. Linda Caudill posted a photo of a bound and gagged Secretary of State Jon Husted, one of Renacci's GOP rivals in the governor's race. The text on the photo alluded to using a "silencer" on Husted. Renacci's folks said they asked her to take it down – the second time she's had to check her social media use in as many weeks.

**Old King Coal:** The EPA said yesterday it's beginning the process of repealing provisions of President Barack Obama's Clean Power Plan, with EPA Administrator Scott Pruitt declaring, "The war on coal is over," reports cleveland.com's Sabrina Eaton. That might sound great for coal companies, but the provisions of Obama's plan never took effect since they've been wrapped up in the courts. Among those welcoming the decision: the Ohio EPA and Beachwood-based Murray Energy Corp.

## What's Going On Today

**Final day to register to vote in Ohio for the 2017 general election.**

**9:40 a.m. – "Pink Tax" bill supporters meet the press:** After committee testimony in favor of House Bill 61, which would exempt sales taxes on feminine hygiene products, a wide range of supporters will meet with reporters. *House Minority Leadership Office, Room 120, Ohio Statehouse.*

**10 a.m. – Gov. John Kasich addresses Ohio Transportation Engineering**

**Conference.** *Columbus Convention Center – Union Station Ballroom, 400 N. High St.*

**11 a.m. -- Sen. Matt Huffman unveils bill reducing school mandates:** The Lima Republican, along with several public school superintendents, plans to announce legislation to scale back school mandates and regulations. *Harding Press Briefing Room, Ohio Statehouse.*

**11 a.m. to 11:45 a.m. – Enviro groups release Lake Erie cleanup report:** Officials with the Alliance for the Great Lakes, Freshwater Future, Michigan League of Conservation Voters, and Ohio Environmental Council will hold a webinar with reporters to release an assessment of reducing phosphorus runoff into Lake Erie.

**11:30 a.m. to 1 p.m. – Rep. Niraj Antani fundraising luncheon:** The Miamisburg Republican is seeking donations between \$350 and \$1,000. *Oliver's, 26 N. High St., Columbus.*

**11:45 a.m. – Ohio Attorney General Mike DeWine speech:** The AG, who is also running as a Republican for governor, is addressing the Ohio Equipment Distributors Association. *Career and Technology Education Centers of Licking County, auditorium, 150 Price Rd., Newark.*

**1 p.m. to 3 p.m. – House Speaker's Task Force on Alzheimer's and Dementia.** *Robert E. Netzley Conference Room (Room 004), Ohio Statehouse.*

**1:45 p.m. – Sherrod Brown hits baseball bat engraving company:** The Democratic U.S. senator plans to visit Johnnyville Woods to meet with workers and talk Indians baseball. *530 Euclid Ave., Suite 30, Cleveland.*

**5 p.m. to 6:30 p.m. – Senate GOP fundraiser:** Sens. Kevin Bacon, Troy Balderson, and Joe Uecker are each seeking contributions between \$350 and \$2,500. *Athletic Club of Columbus, Crystal Room, 136 E. Broad St.*

**5 p.m. to 6:30 p.m. – Another Senate GOP fundraiser:** Sens. Matt Dolan and Jay Hottinger will have a fundraiser, each seeking contributions between \$350 and \$2,500. *Athletic Club of Columbus, Gold Room, 136 E. Broad St.*

**5 p.m. to 6:30 p.m. – House Republican fundraising reception:** Reps. Jeff Rezabek and Nathan Manning are each collecting donations between \$350 and \$1,000. *Ringside, 19 N. Pearl St., Columbus.*

## **5 Questions**

Rep. Robert Sprague, a Findlay Republican, has served in the Ohio House since 2011. He is running for state treasurer. He's married and has five children, ranging from kindergarten to a freshman in high school.

*1. What are you going to miss the most about the legislature once you're gone?*

"I think the broad range of policy... everything from the heroin issue, being able to directly make a difference in people's lives, to other issues."

*2. What's it like to run for treasurer, which isn't as high-profile as an office such as governor. How do you get people excited about your campaign?*

"I think one of the things that's necessary is for all public officials, from mayors all the way up to governor and everyone in between, is you want to try to have a positive impact on solving problems Ohio is facing. The treasurer's office is no exception."

*3. You sponsored 12 bills and laws about opioids, such as the requirement for opioid education in schools and a "good Samaritan" law that grants immunity to people who call 911 in overdoses. Did anyone close to you fall into addiction?*

"It's important because, number one, Ohio leads the nation in overdose deaths... On a personal level, I had a constituent call me from Hardin County. She said, 'My daughter's been in and out of rehab 17 different times.'"

*4. What do you do to unwind from the pressures of campaigning, legislating and managing your personal life?*

"I try to find time with my family. We have five kids. We have a lot going on."

*5. My parents always said that once you have more children than adults in the house, the balance of power shifts to the kids. Is that true?*

(Laughs.) "Don't tell my children that. They still think we're in charge."

## **Full Disclosure**

Five things we learned from the May 15 ethics filing of state Rep. Bill Seitz, a Cincinnati Republican:

1. He was a board member last year of the controversial American Legislative Exchange Council, a group composed of conservative state lawmakers and

representatives of corporations who draft model legislation that can be adopted by state legislatures.

2. He earned more money as an attorney than he did as a legislator: He reported his legislative salary as between \$50,000 and \$99,000; he earned over \$100,000 that year for Dinsmore and Shohl.

3. He had no debt. Seitz was required to report any debt over \$1,000 be reported in 2016, except for real-estate and short-term debt ordinarily incurred to do business.

4. He owned stock in Duke Energy, Spectra Energy, Main Source Financial/Cheviot Financial Corp., Cincinnati Financial Group and Cincinnati Bankcorp.

5. The Cincinnati Reds gave him two tickets for the opening day game on April 20, 2016, worth \$140.

## **Straight From The Source**

"You can disagree without being disagreeable. You can be angry at being mistreated without acting in the way that you are criticizing."

- GOP pollster and analyst Frank Luntz, at the close of an Ohio Republican gubernatorial forum he hosted in the Columbus area Sunday night.

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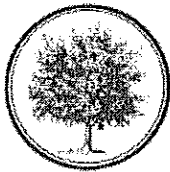
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Contact: Lisa Gates, Vice President of Comms

**FOR IMMEDIATE RELEASE**

October 10, 2017

(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

### **New Buckeye Analysis of Ohio's Tax & Spending Policies Offers Guidance to 2020 Commission**

**Columbus, OH** - Today, The Buckeye Institute released its latest policy brief, *Building a Better Future: An Analysis of Ohio's Tax and Spending Policies*, which looks at the tax and spending policies Governor John Kasich and the Ohio General Assembly have adopted since 2013 and their impact on Ohio's economic growth.

Using the macroeconomic dynamic scoring model, developed by economists at Buckeye's **Economic Research Center**, the analysis found that Ohio's tax and spending policies have helped:

- Make Ohio families wealthier;
- Created nearly 7,000 more jobs;

- Raised personal income by \$500 million; and
- Saw Ohio's employment rates and economy outperform most of its regional competitors.

"Contrary to the arguments levied by opponents of tax reform, this analysis shows that the tax reforms implemented by Governor Kasich and the General Assembly have led to economic growth in Ohio," said **Rea S. Hederman Jr.**, executive vice president at The Buckeye Institute and the head of Buckeye's Economic Research Center. "As they continue to study Ohio's tax policies, this analysis can serve as a guide to the 2020 Tax Commission, showing that instead of the failed policy of attempting to tax and spend Ohio to prosperity, further tax reform would keep the state on the path to greater economic growth."

Buckeye's analysis comes on the heels a long-awaited report from the **Ohio 2020 Tax Commission**. The commission was expected to offer guidance on where Ohio tax policy should go next. Unfortunately, the conclusions were limited and essentially called for additional study of Ohio's voluminous list of **tax expenditures** that result in a loss of more than \$9 billion in state revenues each fiscal year.

Hederman continued, "As Buckeye's analysis makes clear, greater spending restraint and further tax reductions is the smart path for Ohio policymakers to take as they continue to reform the state's tax and spending policies."

*Building a Better Future: An Analysis of Ohio's Tax and Spending Policies* was authored by Dr. Orphe Pierre Divounguy, former economist with The Buckeye Institute's Economic Research Center, and Bryce Hill, a former economic research assistant with the Economic Research Center.

###

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**From:** The Buckeye Institute

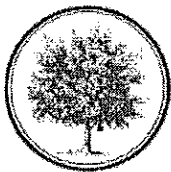
**Sent:** Wednesday, October 11, 2017 7:31 AM

**To:** Miller, Brad

**Subject:** Ohio's Budget Should Not be Left to Burn While Washington Fiddles with Healthcare Reform, By Greg R. Lawson

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## THE BUCKEYE INSTITUTE

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### **Ohio's Budget Should Not be Left to Burn While Washington Fiddles with Healthcare Reform**

**By Greg R. Lawson**

**October 11, 2017**

Ohio policymakers should not join those in Washington DC in acting like a modern day Nero who, at least according to myth, fiddled while Rome burned.

The expansion of Medicaid, to largely able-bodied adults, has clearly cost vastly more than what state leaders initially envisioned. As Medicaid spending, the **Pac-Man of the state budget**, continues consuming state resources, U.S. Senator Ron Johnson (R- WI) is **demanding answers** from the Kasich Administration on why the costs of Medicaid have blown up!

While finding a way to insure more Ohioans is an important policy discussion, the increase in Medicaid spending is impacting Ohio's ability to fund other priorities such as

K-12 education, caring for Ohio's aging population, the construction of roads and infrastructure, an effective rehabilitation and correction system, and so much more.

This is one reason why Congress' failure to repeal and replace Obamacare is such a disappointment. Congress' lack of action is impeding Ohio's ability to reform its own Medicaid system, and if not reformed dramatically, will eventually not only be like Pac-Man, it will be like the fire that consumed all of Rome, leaving nothing for those worried about our future economic competitiveness or, most importantly, our children.

However, while members of Congress fiddle away on health care reform, Ohio policymakers can do something to avoid this financial train wreck -- *freeze the expansion!*

As our executive vice president, Rea Hederman, said of the budget prior to Governor Kasich's unfortunate line item veto:

"Ohio became the first state in the nation to call for a freeze on the Medicaid expansion population, which will focus the program on the truly needy and encourage able-bodied adults to return to work. Medicaid enrollment has exceeded forecasts on both enrollment and costs, and this budget will help make the program sustainable for the future."

Unfortunately, the General Assembly has so far failed to act on Governor Kasich's veto of the expansion freeze, which they can vote to override any time until the end of the legislative session in December of 2018.

According to recent news reports, State Representative **Rob McColley** (R-Napoleon) circulated a memorandum to fellow members of the Ohio House of Representatives highlighting numerous reasons for freezing the Medicaid expansion. Contrary to headlines that say the facts in the memorandum were "**dubious**," it is spot on.

Pushback from the Kasich Administration, and many of the healthcare providers, that stand to continue gaining billions from continuation of this policy, is deeply flawed. For example, the administration tries to refute the argument that spending on Medicaid is not out of control by asserting that Medicaid has come in under budget.

What the administration doesn't tell us is that Medicaid costs are clearly much higher than initially projected because the administration only expected **447,000** enrollees by 2020! By contrast, the latest actual enrollment numbers from the Ohio Department of

Medicaid stands at **708,000**, or 58 percent over what Ohioans were told during the initial debate over expansion.

Further, the McColley memo makes clear that the enhanced federal share for the Medicaid expansion was subject to change. That is still true, just as The Buckeye Institute **said long before the expansion took place**. While it is still difficult to ascertain when the federal government will turn off the spigot, that it will happen is practically guaranteed. Further, the notion that Ohio will, under those circumstances, simply jump out of Medicaid expansion as described by the governor seems fanciful.

Consequently, none of the pushback from the administration should dissuade forward thinking legislators from stepping up the plate - something they already did when passing the budget at the end of June. While Medicaid waivers and other reforms are needed in addition to an expansion freeze, it is better to make a tough decision today than draconian one tomorrow.

We cannot afford to be like Nero and fiddle while Medicaid burns through Ohio's budget and destroys the ability to do anything besides pay for Medicaid. This is not a long-term path on which Ohio should remain. Tragically, it is the path on which we presently, and perilously, tread.

*Greg R. Lawson is the research fellow at The Buckeye Institute.*

###

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**From:** The Buckeye Institute  
**Sent:** Thursday, October 12, 2017 7:45 AM  
**To:** Miller, Brad  
**Subject:** Competition Will Save Taxpayer Dollars as Ohio Replacing Aging Water & Sewer Lines

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October 12, 2017

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### **Competition Will Save Taxpayer Dollars as Ohio Replacing Aging Water & Sewer Lines**

**Columbus, OH** - Today, The Buckeye Institute released its latest policy brief, *Competition Saves Taxpayer Money on Water and Sewer Line Repair*, looking at the importance of open bidding for water and sewer lines.

"Competition is the bedrock of free markets and forces companies to make better products and offer them for lower prices," said **Daniel J. Dew**, the paper's author and legal fellow at The Buckeye Institute. "When localities, or any government entity, spend taxpayer dollars they should be required to use those dollars prudently and ensure they get the best product at the best price. In many communities, this is not happening and localities are spending more than is necessary on water and sewer infrastructure. To ensure this doesn't continue

and to protect taxpayers from waste, fraud, and abuse, localities should implement an open bid process and consider all water and sewer materials that are deemed safe."

Ohio has aging water and sewer systems that are constantly in need of repair and many need to be replaced. Unfortunately, some localities are limiting competition by requiring the pipes be made of a more expensive material, when it would be in taxpayer's interest to consider all materials that are deemed safe. When governments impose regulations and ordinances that give any business or industry a competitive advantage, they negate the market incentives for industries to lower costs and provide better products.

A recent study found that Columbus, Ohio, which does not have an open bid process and mandates that only ductile iron be used for water and sewer replacement, paid nearly \$100,000 more per mile of pipe than nearby Delaware County which does have an open bidding process.

###

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**From:** Capitol Letter  
**Sent:** Tuesday, October 17, 2017 6:15 AM  
**To:** Miller, Brad  
**Subject:** Industry gives brine bill thumbs down

Tuesday, Oct. 17, 2017

[View in Browser](#)



# Capitol Letter

Laura Hancock and Jeremy Pelzer





## Rotunda Rumblings

**Brine bill leaves bad taste:** The Ohio Oil and Gas Association thinks Sen. Joe Schiavoni's brine dumping bill is brackish. The Boardman Democrat wants increased penalties when producers illegally dispose of the wastewater that comes up with toxic chemicals during hydraulic fracturing. Shawn Bennett, the group's executive vice president, said current laws are stringent and can result in producers being shut down. The industry is worried about residual impacts on good actors who have an unforeseeable incident that results in a violation, he said.

**There's no place like home:** Ohio House Majority Leader Dorothy Pelanda on Monday announced she's dropping out of the race for Ohio secretary of state, leaving state Sen. Frank LaRose as the likely Republican nominee. Pelanda didn't say in her statement why she left the race (and didn't return a phone call Monday), though she's trailed LaRose in cash, endorsements, and (recently, at least) non-broken feet.

**What's Pelanda's future?** The Marysville Republican isn't term-limited until 2020, but there's skepticism around Capitol Square that she'll run for re-election next year. (Marysville City Councilwoman Tracy Richardson, a Republican friendly with Pelanda, has already announced for House District 86.) There's speculation – so far unconfirmed – that she might angle for a lieutenant governor spot in 2018 or seek term-limited state Sen. Dave Burke's 26th District seat in 2020.

**CSI: Columbus:** Republican Lt. Gov. Mary Taylor in her bid for governor wants to extend the Common Sense Initiative she launched to make the state's regulations more business friendly. Taylor wants to create a "jobs cabinet" made up of the Ohio EPA, Taxation, Transportation, Commerce and Bureau of Workers' Compensation. In fact, the CSI office would define what "business friendly" means and develop a business friendly scorecard.

**House of Pain:** A bipartisan bill would create consumer protections for how homes are inspected – requiring private inspectors to obtain a license and penalizing people who falsely claim to be licensed. The bill exempts

people who are licensed or registered by municipalities. Last month, the conservative Buckeye Institute's Greg Lawson hammered House Bill 211, saying it was part of a rising tide of occupational licensing proposals that also includes elevator and escalator installers, commercial roofers and residential-only contractors.

**Hot topic:** When small-town Ohioans fire up their furnaces and stoves this winter, two Ohio House Democrats want to make sure they have some extra money to burn. House Bill 243, from Reps. John Patterson of Ashtabula County and Jack Cera of Belmont County, would exempt bulk sales of firewood, kerosene, propane, and #2 fuel oil from state sales and use tax. Local governments would be reimbursed by the state for the lost revenue. Legislative response to the bill has been lukewarm.

## Stories We're Talking About

**Star receiver:** Republican state Reps. Tom Patton and Christina Hagan have both been outscored in the fundraising game by former Ohio State and Indianapolis Colts wide receiver Anthony Gonzalez, cleveland.com's Stephen Koff reports. The three are competing for the GOP nomination to succeed U.S. Rep. Jim Renacci, who's running for governor. Among those helping Gonzalez? Ex-NFL star Peyton Manning and Cleveland Browns owner Jimmy Haslam.

**What's the issue?** Both sides of the Issue 2 debate have tried to make the debate over the drug price ballot initiative as complex as possible. If you have questions (we know you have questions) then cleveland.com's Seth Richardson made the explainer for you to cut through the noise on both sides.

**Hate him or love him:** As Republican Gov. John Kasich goes on a national television tour every Sunday, the op-ed pages tend to follow. Jennifer Rubin in The Washington Post lauded Kasich (for the umpteenth time) for being the adult regarding the Obamacare exchanges. Meanwhile, Kasich critic (and staffer for anti-Kasich gubernatorial hopeful Jim Renacci) Matt Mayer, writing in U.S. News & World Report, tried to extinguish Kasich's dream of being the independent darling during the

2020 election.

**Our new tech overlords will be here shortly:** With any luck, Skynet will be launched from Columbus in the next couple of years. Axios' Kim Hart laid out the reason Columbus is a great place for entrepreneurs and a prime location for a tech hub – at least at some point. So, what are the reasons? A lower cost of living than places like New York or San Francisco, a diverse corporate landscape, access to 41 percent of the U.S. population and a young, educated workforce.

**Still waiting:** President Donald Trump said two months ago he would declare the opioid crisis a national emergency, but he hasn't done anything since then. As Jessica Wehrman of the Columbus Dispatch reports, that's left advocates – and even members of Trump's team – frustrated. Trump said Monday he would be declaring a national emergency next week, but, again, he's said that before and not followed through.

## What's Going On Today

**9 a.m. to 11 a.m. – Secretary of State office hours in Licking County:** Representatives of Secretary of State Jon Husted will answer people's questions about voting and the offices business programs. *Pataskala Public Library, 101 S. Vine St., Pataskala.*

**11:30 a.m. to 1 p.m. – Rep. Darrell Kick luncheon fundraiser:** The cost to get in ranges from \$350 to \$1,000. *DeNOVO, 150 S. High St.*

**Noon to 7 p.m. – 2017 Ohio Defense Forum:** U.S. Reps. Michael Turner and Brad Wenstrup, Ohio House Speaker Cliff Rosenberger, and other Ohio lawmakers are set to speak and/or participate in panel discussions about Ohio's defense installations and how to encourage defense investment in the state. *Ohio State University Union, 1739 N. High St.*

**1 p.m. – Kasich and Biden host Delaware forum:** Gov. John Kasich and former Vice President Joe Biden are slated to moderate a discussion on bridging partisan divides at the University of Delaware. The event will be streamed live online.

**1 p.m. – Pro-Issue 2 phone presser:** Matt Borges, the ex-Ohio Republican Party Chair and senior adviser for the “Yes on Issue 2” campaign, will hold a teleconference with reporters about the status of the campaign, including recent polling results.

**1 p.m. – Addiction roundtable:** Chaired by Ohio Rep. Robert Sprague, the task force on Heroin, Opioids, Prevention, Education and Safety (H.O.P.E.S.) will hear from officials and residents about the opioid crisis and how to combat it. *Ohio State University, The Fawcett Center, Alumni Lounge, 2400 Olentangy River Rd.*

**5 p.m. to 7 p.m. – Annual GOP Senate pig roast fundraiser:** The Ohio Republican Senate Campaign Committee is taking checks from \$500 to \$10,000. *Land Grant Brewery, 424 W. Town St.*

**5:30 p.m. to 7:30 p.m. – Rep. Michael Sheehy fundraiser:** Sponsor levels for the Lucas County Democrat range from \$350 to \$1,000. *Club 185, 185 E. Livingston Ave.*

**5:30 p.m. to 7:30 p.m. – Rep. Adam Miller fundraiser.** The Columbus Democrat is seeking donations between \$250 and \$1,000. *The Capital Club, 41 S. High St.*

**6:30 p.m. to 8:30 p.m. – League of Women Voters of Greater Cleveland forum:** A panel will discuss home rule, the concept of allowing cities to create local laws. *Lakewood Public Library, 15425 Detroit Ave., Lakewood.*

**7 p.m. – Gibbons to campaign in Delaware County:** Republican U.S. Senate candidate Mike Gibbons will attend the Delaware County Republican Party’s central committee meeting. *Northgate Church, 7097 OH-37, Sunbury.*

## **Full Disclosure**

Five things we learned from the May 15 ethics filing of state Rep. Tom Patton, a Strongsville Republican who is also running for Congress in Ohio's 16th House District:

1. In addition to his legislative duties, from which he earned \$87,276 last year, he worked as a marketing consultant for Blue Technologies, earning between \$50,000 and \$99,999; was president of I.A.T.S.E. Local 756, a ticket sellers labor union, earning \$10,000 to \$24,999; and consulted for Amazing Tickets and earned somewhere between \$25,000 and \$49,999.
2. The state reimbursed him \$3,013.92 for mileage.
3. He received \$240 in tickets from the Cleveland Orchestra and Musical Arts Association on July 31, 2016.
4. He has a home equity loan with Huntington National Bank.
5. In addition to his state retirement plan, he has 15 other investment accounts – including a 401(k) with Empower Retirement from Blue Technologies, and four investments with LPL Financial – an IRA, a Roth IRA, savings and a simplified employee pension plan.

## **Straight From The Source**

"Too many girls  
Too many stories  
We're shamed, blamed, silenced, made to feel insignificant...  
But we matter  
Our stories matter  
#MeToo."

- Rep. Teresa Fedor, a Toledo Democrat, tweeting as part of a social-media campaign in which women indicate whether they've been sexually harassed or assaulted to draw attention to the scope of the problem.

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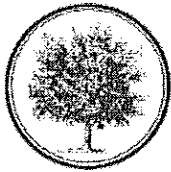
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**From:** The Buckeye Institute  
**Sent:** Tuesday, October 17, 2017 8:31 AM  
**To:** Miller, Brad  
**Subject:** The Buckeye Institute: Reforming Ohio Tax System is Needed to Attract Businesses and Grow the Economy

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October 17, 2017

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### **The Buckeye Institute: Reforming Ohio Tax System is Needed to Attract Businesses and Grow the Economy**

**Columbus, OH** -- Rea S. Hederman Jr., executive vice president at **The Buckeye Institute**, commented on the Tax Foundation's newly released *2018 State Business Tax Climate Index*.

"Today, the **Tax Foundation** released the *2018 State Business Tax Climate Index*, which ranks all 50 states by how well they structure their tax system. Unsurprisingly, Ohio ranks near the bottom of the barrel at 45 out of 50 -- the same ranking we have had for the past two years. As Ohio stands still, other states are moving forward on tax reform which is a contributing factor to our **uneven labor market**.

"There are two main strategies that Ohio should employ to attract business and shake off the low ranking. First, Ohio needs to get rid of business tax expenditures. These hurt businesses and job growth, and discourage investment. Second, Ohio should focus on broadening the tax base and lowering tax rates. Implementing these two strategies, and others we have outlined in our *Tax Reform Principles for Ohio*, will improve our tax climate and will make Ohio an economic engine in the Midwest."

###

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**From:** Miller, Brad  
**Sent:** Tuesday, October 17, 2017 12:20 PM  
**To:** Coyle, Nick  
**Subject:** Medicaid talking points  
**Attachments:** Veto Overrides Senate Budget Talking Points.pdf;  
10.16.17Perales\_Medicaid\_TPs.docx

Hi Nick,

Attached and below are some resources regarding Medicaid expansion. We do not have definitive numbers on future costs and enrollment figures (that fluctuates based on which source you use), but may want to reach out to Policy if you have any other questions about that.

Attached:

- Talking points for Medicaid expansion (what the legislature did in the budget, concerns about costs and enrollment, who is eligible for expansion population)
- List of all veto overrides voted on by the House

Links – Medicaid expansion

- Watchdog.org
  - [Ohio Medicaid expansion sign-ups keep crushing projections, March 2016](#)
  - [Op-ed: Ohio's budget should not be left to burn while Washington fiddles with healthcare reform, October 2017](#)
- Buckeye Institute
  - [The Medicaid Pac-Man keeps eating up your tax dollars, August 2017](#)
  - [Buckeye Institute experts weigh in on budget conference committee report, June 2017](#)
- Columbus Dispatch
  - [Senator demands answers from Kasich about Medicaid costs](#)

Links – President Trump's executive order

- USA Today: [Trump's health insurance order pushes association plans to drive down costs — for some](#)
- NPR: [What Does Trump's Executive Order Mean For Health Care?](#)
- Reason Magazine: [Trump's New Executive Order Makes It Easier to Buy Insurance Outside of Obamacare](#)

Hope this is helpful. Let me know if you have any questions.

Thanks,

**Brad Miller**

Deputy Communications Director / Press Secretary

Office of Speaker Clifford Rosenberger

Ohio House of Representatives

(614) 466-8759



Governor Kasich vetoed 47 provisions in the legislature's state budget proposal. On July 6, 2017, the Ohio House voted to override 11 of those 47 vetoes, which is a natural part of the government's checks-and-balances process.

Those actions were a decision to return various provisions of the state operating budget to what the legislature intended. It was the first time in exactly 40 years (July 6, 1977) that a legislative body voted to override multiple vetoes in a state budget bill.

All remaining vetoes were left open for consideration by the caucus and can be brought up for an override vote at any time until December 31, 2018—the final day of the 132nd General Assembly.

In no way does the decision to override the Governor's vetoes reflect personal motivations or animosities, but it simply is based on a difference in policy opinions that our caucus believes are best for Ohio's future.

This process is not about winning or losing, nor about one side taking credit over another. It is about addressing differences head-on and advancing policies that will be best for all Ohioans.

The following is a list of the House's overrides. Green denotes items that the Senate also voted to override. (Item numbers correspond to the governor's veto message).

***Item 3: Controlling Board authority***

- Limits the Controlling Board's authority when determining appropriation adjustments and creating new funds
- House's override restores necessary authority to the legislature

***Item 23: Medicaid coverage of optional eligibility groups***

- Allows the Ohio Department of Medicaid to cover new, optional groups only when permitted by statute
- Restores greater authority to the General Assembly over the Medicaid program
- Override is necessary to deal with a Medicaid block grant program, which could soon be administered by the federal government

***Item 25: Legislative oversight of rules increasing Medicaid rates***

- Requires the Ohio Department of Medicaid to submit proposals for rate increases to the Joint Medicaid Oversight Committee
- Gives JMOOC and the General Assembly the ability to prohibit rate increases

***Item 26: Medicaid rates for neonatal and newborn services***

- Requires the Ohio Department of Medicaid to set neonatal and newborn services rates at 75 percent of Medicare

***Item 27: Medicaid rates for nursing facilities***

- Changes the formula used to determine Medicaid payment rates for nursing facility services
- Override helps these facilities avoid a \$237 million cut to their reimbursement rates
- Vote to override was unanimous (96-0)

***Item 30: Long-term services added to Medicaid managed care***

- Prohibits long-term services from being added to Medicaid managed care unless approved by the General Assembly
- Important for legislature consisting of elected representatives to retain authority to determine how well people are being cared for



***Item 31: Behavioral health redesign***

- Requires the Ohio Department of Medicaid to delay implementation of the behavioral health redesign into managed care until July 1, 2018
- The delay is important to avoid significant problems for the state's behavioral health providers, many of which are smaller providers in rural and urban communities

***Item 33: Health insuring corporation franchise fee***

- Requires the Ohio Department of Medicaid to ask the U.S. Centers for Medicare and Medicaid Services (CMS) for an increase in the health insuring corporation franchise fee that has already been approved
- Additional funds will go to counties and transit authorities
- Without override, counties and transit authorities across the state would lose all replacement revenue for managed care sales tax revenue
- It is a partial replacement; not a tax increase
- Temporary for six years and subject to CMS approval

***Item 34: Controlling Board authorization regarding Medicaid expenditures***

- Restricts the Controlling Board from releasing funds if Congress amends federal law regarding medical assistance that reduces the percentage

***Item 36: Waiver regarding Healthy Ohio program***

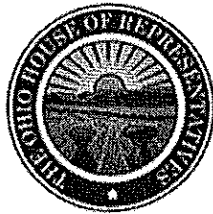
- Requires the Ohio Department of Medicaid to request a waiver from CMS to implement the Healthy Ohio program

***Item 37: Oil and Gas Leasing Commission Appointments***

- Transfers appointment authority for members of the Ohio Oil and Gas Leasing Commission from the governor to the General Assembly
- The Oil and Gas Leasing Commission was passed and signed into law in 2011
- Despite signing the bill, the Governor has not appointed members to the commission in the six years since enactment
- Override gives the legislature the authority to fill the commission; seeing as the lack of one hindered oil and gas development in the state

***\* On Item 28: Medicaid eligibility requirements for expansion group \****

- The conference report that was approved by the House and Senate included a provision seeking a waiver through the Centers for Medicare and Medicaid Services (CMS) to prohibit the enrollment of new individuals into the Medicaid Group VIII expansion population, with exceptions for the mentally ill and drug-addicted
- Governor Kasich vetoed the proposal
- The House did not vote to override the Governor's veto on July 6
  - Largely citing uncertainty in Washington D.C. and the potential for Congress to make significant changes regarding Medicaid expansion
- Because the legislature has until the end of 2018 to take up a veto override, the caucus felt it was appropriate to wait to see if the federal government provides further guidance
- But, like all other vetoes, Item 28 remains open for consideration and could come up for an override in the future



# OHIO HOUSE OF REPRESENTATIVES

*Majority Communications Department*

**Rep. Rick Perales**

**Medicaid expansion talking points**

**October 17, 2017**

## **What the legislature did in HB 49**

- Included a provision seeking a waiver through the Centers for Medicare and Medicaid Services (CMS) to prohibit the enrollment of new individuals into the Medicaid Group VIII expansion population
  - *Included exceptions for mentally ill and drug-addicted*
    - Did not want this provision to hinder the state's robust effort to combat opioid and heroin addiction
  - Through this provision, the legislature made clear its belief that the Medicaid expansion population (again, only Group VIII expansion, not all Medicaid recipients) needs to have tight guardrails so as to not grow out of control and threaten the entire Medicaid system
- Also important to note, this provision only **sought a waiver** from the federal government, to see if such a measure would be amenable to federal regulations and guidelines
  - This provision, by itself, would not have frozen Medicaid Group VIII enrollment
- This part of the budget was among many provisions approved in the conference report to restore more control of the state's Medicaid program to the legislature
- Governor Kasich vetoed the provision (Item No. 28 in veto message)
- Largely citing uncertainty at the federal level and the potential for Congress to make significant changes regarding Medicaid expansion, the House did not vote to override the Governor's veto on July 6<sup>th</sup> (the day when the House overrode 11 other vetoes)
- Like any other veto, however, the legislature has until the end of the GA (December 31, 2018) to vote to override this provision

***\*Important to just keep remarks limited to exactly what the legislature voted on in HB 49 and not to speculate about any other steps that may come down the road***

## **Medicaid expansion enrollment above initial projections**

- Why the need to freeze Medicaid expansion enrollment?
- Ohio's Medicaid budget has continued to increase over the years, now taking up nearly half of the state's entire budget

- Medicaid spending in July 2017 was \$271.9 million more than Medicaid spending in July 2016 (according to OBM)
  - That is a 16 percent increase, one of the largest increases in state government (according to Buckeye Institute)
- Medicaid costs are higher than initially projected because the administration initially projected only 447,000 enrollees by 2020
  - The latest actual enrollment numbers stands at 708,000 (58 percent over projections)
  - Costs per enrollee climbed from \$4,136 in 2014 to \$5,604 in 2015 (according to Senator Ron Johnson, R.-Wisconsin; Columbus Dispatch article)
- The federal government has covered 95 percent of expansion costs to this point, but even under Obamacare, that number will decrease to 90 percent
  - Further reductions could be forthcoming if Congress or the President acts and make other changes
  - Also important to keep in mind that, regardless of where that money is coming from, it is still taxpayer dollars

#### **President Trump's executive order**

- Too early to know exactly how the President's executive order will impact Ohio
- Still assessing those changes
  - ***See articles included in email***

*The following is some information the Policy team put together in regards to exactly who qualifies for Medicaid expansion population.*

#### **Medicaid Eligibility**

When talking about Medicaid, it is important to remember that there are different eligibility rules for different populations within Medicaid. Also, at times, populations overlap. For example, the Covered Families and Children (CFC) program is a Medicaid program that predates Medicaid expansion. Children can access coverage if they are in a family with incomes of up to 206% of the federal poverty level. The parents in this population can also obtain Medicaid if the family's income is 90% of the Federal Poverty level or less. So if the family is at 150% of the federal poverty level, the children in the family are eligible for Medicaid through CFC, but the parent isn't. Up until Medicaid expansion, a childless adult had no way of accessing Medicaid unless they fell into another eligibility category such as Aged, Blind, and Disabled (ABD).

After Medicaid Expansion, anyone age 19 to 64 with an income of less than 138% of the federal poverty if they are not eligible for Medicaid in another category. Most of these people are childless adults, but it is possible for an individual to be covered under this population if he or she has kids. Above, you will see that an individual with children can obtain Medicaid through CFC only if their income is 90% federal poverty or less. If he or

she has an income of above 90% but less than 138% federal poverty level, then he or she can obtain coverage through the expansion program despite being ineligible under CFC. So while most people in expansion are childless adults, many do have children. If the adult is disabled or over the age of 64, then he or she may be eligible for the ABD population.

#### **Exemptions from the freeze**

The only exemptions to the Medicaid freeze under 5163.15 are those who are mentally ill, drug addicted, or who are already enrolled in Medicaid expansion on the effective date of the freeze. There is a large degree of individuals going on and off of eligibility for Medicaid expansion due to, among other reasons, fluctuating income that is a result of working a job that pays hourly. Under the provisions of the freeze, an individual who is on Medicaid expansion on the effective date of the freeze could not obtain coverage through Medicaid expansion if they cease to become eligible (most likely by going over the 138% federal poverty level income). The only exceptions would be the mentally ill and drug addiction exemptions mentioned in this paragraph. Some may mistakenly think that there are other exemptions such as being over the age of 55, in a workforce training program, or having intensive health care needs. These are exemptions to the provision commonly referred to as the "work requirement." This provision was not vetoed and will go into effect, however as it relates to the Medicaid freeze, the only exceptions are the ones mentioned in this paragraph.

**From:** Coyle, Nick  
**Sent:** Tuesday, October 17, 2017 12:35 PM  
**To:** Miller, Brad  
**Subject:** RE: Medicaid talking points

Thanks Brad!

I will get this to Rep. Perales.

Best,

Nick Coyle  
LSC Fellow  
State Representative Rick Perales  
73<sup>rd</sup> Ohio House District  
[Nick.Coyle@ohiohouse.gov](mailto:Nick.Coyle@ohiohouse.gov)  
614-644-6020

---

**From:** Miller, Brad  
**Sent:** Tuesday, October 17, 2017 12:20 PM  
**To:** Coyle, Nick <[Nick.Coyle@ohiohouse.gov](mailto:Nick.Coyle@ohiohouse.gov)>  
**Subject:** Medicaid talking points

Hi Nick,

Attached and below are some resources regarding Medicaid expansion. We do not have definitive numbers on future costs and enrollment figures (that fluctuates based on which source you use), but may want to reach out to Policy if you have any other questions about that.

Attached:

- Talking points for Medicaid expansion (what the legislature did in the budget, concerns about costs and enrollment, who is eligible for expansion population)
- List of all veto overrides voted on by the House

Links – Medicaid expansion

- Watchdog.org
  - [Ohio Medicaid expansion sign-ups keep crushing projections, March 2016](#)



- [Op-ed: Ohio's budget should not be left to burn while Washington fiddles with healthcare reform, October 2017](#)
- Buckeye Institute
  - [The Medicaid Pac-Man keeps eating up your tax dollars, August 2017](#)
  - [Buckeye Institute experts weigh in on budget conference committee report, June 2017](#)
- Columbus Dispatch
  - [Senator demands answers from Kasich about Medicaid costs](#)

Links – President Trump's executive order

- USA Today: [Trump's health insurance order pushes association plans to drive down costs — for some](#)
- NPR: [What Does Trump's Executive Order Mean For Health Care?](#)
- Reason Magazine: [Trump's New Executive Order Makes It Easier to Buy Insurance Outside of Obamacare](#)

Hope this is helpful. Let me know if you have any questions.

Thanks,

**Brad Miller**

Deputy Communications Director / Press Secretary  
 Office of Speaker Clifford Rosenberger  
 Ohio House of Representatives  
 (614) 466-8759

**From:** The Buckeye Institute

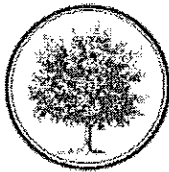
**Sent:** Tuesday, October 17, 2017 2:54 PM

**To:** Miller, Brad

**Subject:** The Buckeye Institute: Time for the Ohio General Assembly to Get Serious about Closing Tax Loopholes

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## THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

**FOR IMMEDIATE RELEASE**

October 17, 2017

(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

### **The Buckeye Institute: Time for the Ohio General Assembly to Get Serious about Closing Tax Loopholes**

**Columbus, OH** - The Buckeye Institute issued the following statement on the inaugural meeting of Ohio's Tax Expenditure Review Committee.

"Today's meeting of Ohio's Tax Expenditure Review Committee is an important step in closing down the voluminous list of tax loopholes that riddle Ohio's tax code," said **Greg R. Lawson**, a research fellow at The Buckeye Institute. "As we outlined in our *Tax Reform Principles for Ohio*, every loophole creates an unfair special interest tax break that must be paid for by fewer taxpayers, and once ensconced in statute, they become entrenched and immune to substantial scrutiny."

Lawson continued, "When Buckeye first called for the creation of the review committee, we, along with the Center for Community Solutions and the Greater Ohio Policy Center, identified **20 loopholes** that should have been closed, accounting for \$300 million in lost revenue. That figure pales in comparison to the estimated \$18.6 billion in lost revenue from the 129 loopholes outlined in the Office of Budget and Management's (OBM) fiscal year 2018-19 **Tax Expenditure Report**."

"While the recent reforms in Ohio's tax policy have **resulted in new jobs and improved personal income**, more needs to be done. It is now time for Ohio's General Assembly to get serious about shutting down tax loopholes and it is critical that they create a tax climate that is positive for job creation and helps hard-working Ohioans," Lawson concluded.

###

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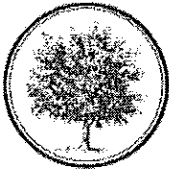
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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** The Buckeye Institute  
**Sent:** Friday, October 20, 2017 10:21 AM  
**To:** Miller, Brad  
**Subject:** Buckeye's Rea Hederman: Ohio Labor Market Bounces Back from Summer Doldrums



## THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

**FOR IMMEDIATE RELEASE**

October 20, 2017

(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

### **Buckeye's Rea Hederman: Ohio Labor Market Bounces Back from Summer Doldrums**

**Columbus, OH** -- Rea S. Hederman Jr., executive vice president at **The Buckeye Institute**, commented on newly released unemployment data from the **Ohio Department of Job and Family Services**.

"In September, the Ohio labor market bounced back from the summer doldrums, with the unemployment rate falling a tenth to 5.3 percent from 5.4, and the private sector created 10,500 new job opportunities. After a somber August labor report, the solid numbers from September are a welcome improvement with all indicators in positive territory, particularly as revised August numbers increased total employment by 1,000. In addition, the labor force participation rate remained constant, which means that new people entering the labor market and those previously unemployed found jobs.

"However, the slow, steady Ohio growth is not keeping pace with the national numbers, as the gap between Ohio's unemployment and the national average (4.2 percent) has increased in the past year.

"Private sector job growth was led by strong gains in educational services (3,800), retail trade (3,300), and manufacturing (2,600). The sharpest decline was in financial activities (-2,400). The government sector neither added nor lost jobs as gains in state government

(6,900) and federal government (300) were offset by losses in the local government sector (-7,200).

"Since September of 2016, Ohio's unemployment rate has increased slightly as more Ohioans entered the labor market, and, while the economy has experienced steady growth with 64,700 private sector jobs created in the last twelve months, job creation has not kept pace with these new workers. To reverse this trend, Ohio policymakers must continue on their course of **wisely resisting tax increases** to make up for a budget shortfall, and they must consider tax reform that eliminates **special interest deductions and loopholes** to lower tax rates."

###

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The Buckeye Institute, 88 East Broad Street,  
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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** Capitol Letter

**Sent:** Monday, October 23, 2017 6:15 AM

**To:** Miller, Brad

**Subject:** Businesses can file one-stop tax returns - for now

Monday Oct. 23, 2017

[View in Browser](#)



# Capitol Letter

Laura Hancock and Jeremy Pelzer



## Rotunda Rumblings

**Taking care of business:** Companies can now file municipal income taxes on one form through the state instead of filing returns with each of Ohio's 500 cities and villages that have municipal net profit taxes. Businesses requested the new, centralized system -- frustrated by all the different forms and tax rates they had to keep track of. The General Assembly made the change in the June budget, said Ohio Department of Taxation spokesman Gary Gudmundson. But over 130 cities and villages plan to sue, concerned the state will not thoroughly audit tax returns.

**Strickland sendoff:** Democratic ex-Gov. Ted Strickland unofficially marked his retirement from public service Saturday, with a reception and dinner in Columbus put on by the liberal think-tank Innovation Ohio (where many of his former staffers ended up). The 76-year-old Southern Ohio native, who lives in Columbus, emotionally thanked more than 200 friends, family and colleagues. Video tributes came from ex-President Bill Clinton, U.S. Sen. Sherrod Brown, and former staffers; attendees included Strickland's former D.C. roommate, Washington state Gov. Jay Inslee -- incoming chair of the Democratic Governors Association and a potential 2020 presidential candidate.

**Inslee picks up prez endorsement:** During his speech, Strickland endorsed Inslee for president in 2020, saying he "never once saw a character flaw" in him during the decade they lived together as congressmen. Speaking with Capitol Letter after the dinner, Inslee said he would neither rule out nor rule in a run for president. "It's an honest answer that I'm focused on being governor," he said. "I'm very active on getting governors elected around the country. It's a full-time job right now."

**Inslee's take on the #OHgov primary:** Inslee said he had no insight on whether additional candidates would enter the Democratic gubernatorial primary, such as Consumer Finance Protection Bureau Director Richard Cordray, talk-show host Jerry Springer, or ex-U.S. Rep. Dennis Kucinich. But Inslee said he's not worried that Cordray's dithering (which has kept many would-be donors from opening up their checkbooks) would hurt the



Democrats' chances.

**Phone home:** A pair of Democrats want to hang up on Ohio companies that move call centers overseas. House Bill 245, which will ring sweetly to Ohio's workers but hit a sour note with business, would disqualify employers from receiving state grants, loans, tax benefits or other economic incentives until five years after the call center has left the country. Sponsored by Reps. John Bocchieri and Michele Lepore-Hagan, the bill is in the House Economic Development, Commerce and Labor Committee.

**A work in progress:** The September jobs report released Friday morning showing a tenth of a percent drop in the state's unemployment rate and an increase of 10,500 jobs spurred reaction from the policy think tanks, with left-leaning Policy Matters Ohio calling the job growth mediocre compared to previous years. The conservative Buckeye Institute said the 5.3 percent unemployment rate continues to lag the national rate of 4.2 percent.

**O'Neill strikes again:** Ohio Supreme Court Justice (and potential Democratic gubernatorial candidate) Bill O'Neill, as he's often done in the past, on Friday stirred up controversy on Facebook – posting his support of White House Chief of Staff John Kelly's emotional defense of President Trump's controversial call to a military widow. "I'm with General Kelly. Thank you General," O'Neill, a Vietnam War veteran, posted. The post generated dozens of (mostly disapproving) responses – including from Ohio Democratic Party Chair David Pepper.

**Elsewhere on social media:** Lt. Gov. and Republican gubernatorial candidate Mary Taylor (or whoever is running her Twitter account) tweeted Sunday that she "held a business roundtable in Wooster county" last week. As most people in neighboring Summit County (where Taylor lives) know, there is no such place: the city of Wooster is in Wayne County. A Taylor spokesman said the tweet, which was pulled down, was a typo.

**Cutting boards:** Ohio has dozens of occupational licensing boards that regulate everything from barbers to funeral directors. But two Ohio House Republicans are trying to roll back such boards, saying they hurt job creation. House Bill 289, from Reps. Ron Hood and Rob McColley, would

require each board to be renewed every five years by the General Assembly, or it would be abolished. Each board would have to prove the need for its existence. The bill is in the House Government Accountability & Oversight Committee.

## Stories We're Talking About

**Executive briefing:** Several national security and foreign policy experts met in Columbus with Gov. John Kasich on Thursday, according to BuzzFeed. This will fuel the speculation that the 2016 Republican presidential candidate will seek the White House again in 2020.

**Power play:** President Donald Trump wants federal rules to help utilities with aging coal and nuclear plants, such as those owned by FirstEnergy -- many of which are closing due to environmental regulations and inability to compete with new, ultra-efficient gas turbine plants. But the Public Utilities Commission of Ohio on Friday decided it will oppose the Trump proposal, concluding it was unknown how the change would affect customer bills, The Plain Dealer's John Funk reports. This pits FirstEnergy against PUCO because the power company appealed to the White House and U.S. Department of Energy for an emergency federal order to keep the plants running.

**AG's race heats up:** Democratic attorney general candidate Steve Dettelbach is signaling that his GOP opponent's \$29,000 in campaign contributions connected to the Electronic Classroom of Tomorrow, which is fighting claims that it owes taxpayers \$60 million for misrepresenting enrollment, will become a campaign issue, cleveland.com's Mary Kilpatrick writes. Republican Auditor Dave Yost's campaign says that the auditor's office has put the school under additional scrutiny.

**Speaking of ECOT:** Five former GOP lawmakers have filed a brief with the Ohio Supreme Court in support of the charter school in the suit over the \$60 million the state wants back, including former Ohio House Speaker Bill Batchelder, Jim Trakas and Chuck Calvert, according to the Columbus Dispatch.

**Back in the good ol' days...** Ohioans used to vote in special elections when lawmakers resigned, but now new legislators are appointed by the party to which the former one belonged. Cleveland.com editorial writer Thomas Suddes questions whether appointments result in the best representation for a district. The discussion is relevant because former state senator Cliff Hite resigned, and 23 GOP senators – none of whom live in his district -- will choose his successor.

## **What's Going On Today**

**9 a.m. -- Portman tax roundtable:** Ohio's Republican U.S. senator, Rob Portman, will seek input from small business leaders about the Republican tax reform plan. Council of Smaller Enterprises, *1240 Huron Road E., Cleveland.*

**10 a.m. – Ohio Secretary of State Jon Husted tour:** The Republican, who is also running for governor, will tour Cleveland Whiskey and, at 10:30 a.m., participate in a roundtable discussion with the Manufacturing Advocacy and Growth Network, which is in the same building. *MAGNET, 1768 E. 25th St., Cleveland.*

**12:30 p.m. – House Armed Services Committee chair stops by Wright-Patt:** After a visit to Wright-Patterson Air Force Base, U.S. Rep. Mac Thornberry is slated to join U.S. Rep. Mike Turner at a press conference. *Hope Hotel and Richard C. Holbrooke Conference Center, 10823 Chidlaw Rd., Dayton.*

**1:30 p.m. – Joint Committee on Agency Rule Review:** *Statehouse, Room 121.*

**7 p.m. to 8 p.m. – Batchelder to campaign with DeWine:** Attorney general and Republican gubernatorial candidate Mike DeWine is slated to campaign with ex-Ohio House Speaker Bill Batchelder in the latter's hometown of Medina. *Amuse Bistro, 108 Public Square, Medina.*

## **Five Questions**

Jennifer Herold is running as a Democrat for Ohio's U.S. House District 16. She lives in Strongsville, works as an occupational therapist and is married with three children, aged 9 months to 5. She ran for the Ohio House as a Republican in 2015.

*1. Can you talk about switching parties?*

"I felt like – especially with the recent (presidential) election – it seems like the Democratic party might be a better home for me... (The Cuyahoga County Republican Party) should be encouraging more running and try to be encouraging to grow the party."

*2. You have described yourself as a blue-dog Democrat. What do you mean?*

"I'm very centrist... I feel like I've got a lot more liberal views on some climate change policies, but I very much believe in having the right to free speech and having the right to protect yourself."

*3. Your Republican opponents have close to \$1 million in their campaign war chests. Are you worried about competing against them?*

"I'm your ordinary citizen. I don't have a political background. I just want to be the voice of the people in my district."

*4. You have a doctorate in occupational therapy from the University of Toledo. What are your Affordable Care Act policy ideas?*

"I do think we need to have more (insurance) options — whether it's across state lines, whether it's allowing to pick from a lot of insurers. The mandate covering pre-existing conditions needs to be in whatever bill goes forward."

*5. What apps do you use on your phone these days?*

"Twitter and Facebook. We have Disney movies. I have the Fisher-Price puppy game and we have Nick Jr. Books, where they can read books from Nickelodeon from the shows that they have."

## Birthdays

Jaehla Meacham, special assistant to the Ohio Senate minority leader

## Straight From The Source

"The only thing Michael Dourson should be doing inside EPA headquarters before he's confirmed is visiting as a tourist."

- Ken Cook, president of the Environmental Working Group, about controversial University of Cincinnati professor Michael Dourson, who is advising EPA Administrator Scott Pruitt as he awaits confirmation to run EPA's chemical safety and pollution prevention office.

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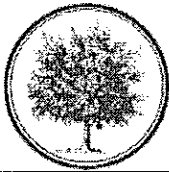
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**From:** The Buckeye Institute  
**Sent:** Monday, October 23, 2017 8:05 AM  
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**Subject:** 2016 Ohio Crime Up Slightly from 2015, but Still Historically Low, By Daniel J. Dew

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## THE BUCKEYE INSTITUTE

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### **2016 Ohio Crime Up Slightly from 2015, but Still Historically Low**

**By Daniel J. Dew**  
**October 23, 2017**

The FBI recently released **national crime data for 2016**. Following the national figures, Ohio's violent crime ticked up by 2.8 percent and property crime decreased slightly. While any increase in crime raises some concerns, it's important to look at the data in historical context.

Despite the up-tick, violent crime in Ohio is down almost 14 percent since **2008** and an astounding 31 percent from **1997**. Likewise, property crime is down 29 percent from just a decade ago.

There is no consensus around the cause of the decrease in crime, but there is **no shortage of theories**. Researchers argue that it could be anything; advances in

psychotropic medications, better policing methods, an aging population, better economic conditions, tough on crime policies, and even unleaded gasoline.

Unfortunately, even as crime has dropped, Ohio's hasn't experienced a correlated decrease in its prison population. Even with the drastic drop in crime since 2008, **Ohio's prison population** has only decreased by 0.2 percent, and in that same timeframe the annual cost of Ohio's prison system has increased from \$1.5 billion to \$1.8 billion.

Ohio Department of Rehabilitation and Correction Director, Gary Mohr has warned that if Ohio's prison population continues to increase, Ohio may be forced to build new prisons costing taxpayers upwards of one billion dollars.

So why isn't Ohio seeing the decrease in crime reflected in its prison population? At least part of the blame lies in, what seems to be, ever-increasing penalties for crimes, generally, and with Ohio's approach to drug crimes. Other than marijuana, possession of any drug in any amount is a felony, which makes Ohio an outlier nationally. Nationally, people whose most serious offense is a drug crime make up 13 percent of the prison population, but in Ohio, that **number is 27 percent**.

Other states like, Texas, have seen even more dramatic reductions in crime while reducing prison populations. Texas has closed a number of prisons, saving the state an estimated \$4 billion since 2007. States are achieving these results by carefully crafting policy to address the root of crime - treating mental health and addiction issues rather than reflexively throwing people in prison.

The good news is, Ohio policymakers are working to fix these issues as well through programs like **Targeted Community Alternatives to Prison (T-CAP)**, and legislation like **Senate Bill 66** which expands opportunity for those suffering from mental health and addiction to get much needed treatment, which **studies have shown** is a much more effective approach. The proposed Reagan Tokes Act would target dangerous offenders through indeterminate sentencing and incentivize rehabilitation.

While there are many factors that impact crime rates, carefully crafted policies that ensure people who are dangerous go to prison and low-level offenders have opportunities for community rehabilitation are a critical part of the solution. Ohio should continue to implement smart on crime policies that will help keep our communities safe, and ensure we have fair processes and fair laws that will help us achieve just outcomes.

*Daniel J. Dew is a legal fellow at The Buckeye Institute's Legal Center and an expert in criminal justice reform.*

###

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The Buckeye Institute, 88 East Broad Street,  
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**From:** Miller, Brad  
**Sent:** Tuesday, October 24, 2017 7:33 AM  
**BCC:** House All  
**Subject:** E-Clips for 10/24/2017

## HOUSE E-CLIPS 10/24/2017



### **RISE IN VIOLENT CRIME CASES CAUSES NEED TO FIND JAIL SPACE**

A jump in federal cases involving violent crimes and drug cases being prosecuted in Ohio has officials looking for more jail space.

### **OHIO COURT WON'T HEAR CASE IN SEIZURE OF EXOTIC ANIMALS**

Another court has dealt a blow to an Ohio man who is trying to get his six tigers and several other exotic animals back from the state.

### **CORONER IDS SUSPECT KILLED AFTER FATAL SHOOTING POLICEMAN**

A coroner has identified the Ohio man suspected of killing a policeman before he was fatally shot by another officer responding to a domestic disturbance at a home.



### **OHIO STATE COULD LEARN FROM FLORIDA'S SECURITY FOR RICHARD SPENCER'S SPEECH**

If Ohio State University is ordered by a judge to host Richard Spencer, it might consider how a Florida university handled the white nationalist's visit on Thursday.

### **COURT SEEKS COMMENT ON RELEASING GRAND JURY TRANSCRIPTS IN POLICE SHOOTINGS**

A proposed change in Ohio court rules to allow now-secret grand jury transcripts to be released to the public — targeted at cases in which police officers are not indicted in fatal shootings of suspects — has reached a new phase.

### **GOVERNOR CANDIDATES, DEMOCRATIC OFFICIALS AGREE TO 2 DEBATES AFTER SPARRING**

After disagreeing with party officials, Ohio's four Democratic candidates for governor apparently have agreed to a pair of debates in Columbus on Sunday.

### **DOES COLLEGE LEAD STUDENTS AWAY FROM RELIGION?**

When it comes to religion, higher education has a bad reputation among some people.

### **EDITORIAL: TAX REFORM THREATENS HISTORIC BUILDINGS**

As the GOP undertakes comprehensive tax reform, it should restore the Federal Historic Tax Credit, a program that preserves America's irreplaceable historic buildings, generates jobs and more than pays for itself.

## **Dayton Daily News**

[www.daytendailynews.com](http://www.daytendailynews.com)

### **HOUSE DEFENSE LEADER AT WRIGHT PATT, SAYS AF PILOT SHORTAGE GROWING**

The Air Force has been "hemorrhaging" pilots in a growing shortage that shows the impact sequestration has had on the military, a top congressional defense leader said.

### **CLARK COUNTY HISTORICAL SOCIETY SEEKS NEW TAX TO SUPPORT MUSEUM**

The Clark County Historical Society will ask voters to approve a new property tax on Nov. 7 that the group says will preserve and showcase local artifacts for residents and visitors.

### **TIPP CITY SCHOOLS NOW PART OF OHIO ONLINE CHECKBOOK**

The Tipp City Exempted Village Schools now are part of the Ohio Online Checkbook offering financial information on government entities across the state who choose to participate.

## **THE PLAIN DEALER**

### **DO YOU WANT TO LOSE THIS TAX DEDUCTION? WILL YOUR CONGRESSMAN OR CONGRESSWOMAN FIGHT IT?**

The Senate paved the way for tax reform with a tax-cutting budget late last week, and Americans could see the actual tax-reform bill soon -- a chance to know what's in and out.

### **SEN. SHERROD BROWN CALLS WHITE HOUSE AIDE, ADVISER 'WHITE SUPREMACISTS.' WHITE HOUSE SAYS THAT'S SLANDEROUS**

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**CantonRep.com**  
CONNECTING STARK COUNTY

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In the fight against the raging opioid epidemic in Ohio, every professional on the front lines will say he is underarmed.

**From:** Miller, Brad  
**Sent:** Tuesday, October 24, 2017 7:33 AM  
**Subject:** E-Clips for 10/24/2017

## **HOUSE E-CLIPS**

### **10/24/2017**



#### **RISE IN VIOLENT CRIME CASES CAUSES NEED TO FIND JAIL SPACE**

A jump in federal cases involving violent crimes and drug cases being prosecuted in Ohio has officials looking for more jail space.

#### **OHIO COURT WON'T HEAR CASE IN SEIZURE OF EXOTIC ANIMALS**

Another court has dealt a blow to an Ohio man who is trying to get his six tigers and several other exotic animals back from the state.

#### **CORONER IDS SUSPECT KILLED AFTER FATAL SHOOTING POLICEMAN**

A coroner has identified the Ohio man suspected of killing a policeman before he was fatally shot by another officer responding to a domestic disturbance at a home.



#### **OHIO STATE COULD LEARN FROM FLORIDA'S SECURITY FOR RICHARD SPENCER'S SPEECH**

If Ohio State University is ordered by a judge to host Richard Spencer, it might consider how a Florida university handled the white nationalist's visit on Thursday.

#### **COURT SEEKS COMMENT ON RELEASING GRAND JURY TRANSCRIPTS IN POLICE SHOOTINGS**

A proposed change in Ohio court rules to allow now-secret grand jury transcripts to be released to the public — targeted at cases in which police officers are not indicted in fatal shootings of suspects — has reached a new phase.

#### **GOVERNOR CANDIDATES, DEMOCRATIC OFFICIALS AGREE TO 2 DEBATES AFTER SPARRING**

After disagreeing with party officials, Ohio's four Democratic candidates for governor apparently have agreed to a pair of debates in Columbus on Sunday.

#### **DOES COLLEGE LEAD STUDENTS AWAY FROM RELIGION?**

When it comes to religion, higher education has a bad reputation among some people.

#### **EDITORIAL: TAX REFORM THREATENS HISTORIC BUILDINGS**

As the GOP undertakes comprehensive tax reform, it should restore the Federal Historic Tax Credit, a program that preserves America's irreplaceable historic buildings, generates jobs and more than pays for itself.

## **Dayton Daily News**

[www.daytondailynews.com](http://www.daytondailynews.com)

### **HOUSE DEFENSE LEADER AT WRIGHT PATT, SAYS AF PILOT SHORTAGE GROWING**

The Air Force has been "hemorrhaging" pilots in a growing shortage that shows the impact sequestration has had on the military, a top congressional defense leader said.

### **CLARK COUNTY HISTORICAL SOCIETY SEEKS NEW TAX TO SUPPORT MUSEUM**

The Clark County Historical Society will ask voters to approve a new property tax on Nov. 7 that the group says will preserve and showcase local artifacts for residents and visitors.

### **TIPP CITY SCHOOLS NOW PART OF OHIO ONLINE CHECKBOOK**

The Tipp City Exempted Village Schools now are part of the Ohio Online Checkbook offering financial information on government entities across the state who choose to participate.

## **THE PLAIN DEALER**

### **DO YOU WANT TO LOSE THIS TAX DEDUCTION? WILL YOUR CONGRESSMAN OR CONGRESSWOMAN FIGHT IT?**

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In the fight against the raging opioid epidemic in Ohio, every professional on the front lines will say he is underarmed.

**From:** Capitol Letter  
**Sent:** Thursday, October 26, 2017 6:15 AM  
**To:** Miller, Brad  
**Subject:** Plastics industry weighs in on pipeline bill

Thursday, Oct. 26, 2017

[View in Browser](#)



# Capitol Letter

Laura Hancock and Jeremy Pelzer





## Rotunda Rumbblings

**Pipe dream:** Representatives of the plastic and vinyl industries piped up Wednesday to support a bill that would allow city and county engineers to suggest any materials for public water or wastewater pipelines – even if a community requires a specific material, such as ductile iron. But the engineers worry that they could be sued for suggesting one material over another. Senate Bill 95 will have at least one more hearing before the Ohio Senate Energy and Natural Resources Committee.

**Building blocks:** Letters from Ohio senators will go out next week to local governments, with guidance on how to request state bucks for a park or other project in the capital budget, a large spending bill the General Assembly could adopt early next year. The construction industry is expected to watch the bill closely, since it will score millions to build the projects.

**Rolling ahead:** The state House and Senate are close to a deal that could send money again to counties and public transit systems that once came from a Medicaid tax on managed care organizations, Senate President Larry Obhof said Wednesday. The federal government had told Ohio its tax was against the rules, which left the state scrambling to come up with \$200 million. One of the General Assembly's ideas was vetoed by Gov. John Kasich. Obhof said a new plan could be unveiled in mid-November.

**Tough break:** It must've been an awkward ride home from Jackson County Tuesday night for Attorney General Mike DeWine. The Republican gubernatorial hopeful went down to a county party meeting, ostensibly to obtain an endorsement. DeWine spent two hours making his pitch and answering questions. But he walked out without an endorsement after the party voted to wait to hear from the other candidates.

**For what it's worth:** DeWine campaign chief Dave Luketic said they didn't expect to walk out of the meeting with an endorsement.

**Keeping the day job?** If Supreme Court Justice Bill O'Neill enters the 2018 gubernatorial race, the Chagrin Falls Democrat says he wouldn't resign his court seat until after the end of the year. "I don't have to leave," O'Neill told Capitol Letter, adding he would explain more during his announcement Sunday. The Ohio Code of Judicial Conduct suggests otherwise: "A judge who wishes to run for such an [non-judicial] office must resign upon becoming a candidate." But it's unclear whether "becoming a candidate" refers to an announcement, or the actual filing of paperwork.

**Just say no to delegating:** Rep. Derek Merrin says a few attorneys for local governments are filing property-tax complaints without the knowledge of their superiors, and he wants to stop it. House Bill 343, which got its first committee hearing Tuesday, would require school boards and other local bodies to pass a resolution each time they want to file a complaint or counter-complaint. Opponents include the Ohio School Boards Association, which argues that allowing staff to handle complaints frees up time for elected officials and avoids the appearance of playing favorites, according to Gongwer News Service.

**Not a Latta truth to this one:** U.S. Rep. Bob Latta's spokesman shot down chatter that the Bowling Green Republican is interested in running for Ohio attorney general next year. "There is no truth to this rumor," spokesman Drew Griffin said in a statement.

## Stories We're Talking About

**Controversial appointee advances:** A U.S. Senate committee, voting along party lines, accepted the Trump administration's nomination of a controversial Cincinnati toxicologist to the Environmental Protection Agency, cleveland.com's Sabrina Eaton writes. University of Cincinnati medical school professor Michael Dourson will likely head the EPA's chemical safety and pollution prevention office. Critics say he's too close to the industries he'd regulate.

**No more endorsements:** The Cincinnati Enquirer will not endorse any political candidates ahead of the Nov. 7 election, according to an Enquirer editorial board article. But it will provide context on the races. Calling the

act of voting “intensely personal,” the board said: “It is not our role to tell you who to value or what is most important to you.”

**Kasich in Phoenix:** Ohio Gov. John Kasich spoke at the Google Zeitgeist event in Phoenix Tuesday — and met with technology CEOs and experts, the Columbus Dispatch's Randy Ludlow writes. A spokesman said the event “gave Kasich an opportunity to solicit advice on how to best position Ohio to gain high-tech jobs and plant seeds that the state welcomes more corporate expansions to join the likes of Amazon, Facebook and others,” Ludlow writes.

**No voter fraud charges:** A Cuyahoga County grand jury decided not to charge 17 residents who were among the dozens of non-U.S. citizens identified by Ohio Secretary of State Jon Husted as illegally voting or registering to vote in previous elections, cleveland.com's Cory Shaffer writes.

**Issue 2 debate:** Former U.S. Rep. Dennis Kucinich, a supporter of the Issue 2 drug-pricing initiative, squared off Tuesday against opponent Dale Butland in a lively debate at the City Club of Cleveland. Cleveland.com's Seth Richardson fact checked some of their claims.

## What's Going On Today

**8 to 10 a.m. – Ohio Bureau of Workers' Compensation board of directors meeting:** *Level 2, Room 3, William Green Building, 30 W. Spring St., Columbus.*

**10 a.m. – Congressional redistricting working group meeting:** During the group's inaugural meeting, lawmakers will examine reforms to how Ohio's congressional district lines are drawn. *Room 313, Ohio Statehouse.*

**11 a.m. to 2 p.m. – Food truck food court Thursdays:** It is the final event of the year, as the winter is approaching. *Columbus Commons.*

**5 p.m. to 7:30 p.m. – Rep. Glenn Holmes fundraiser:** The Democrat from McDonald will accept checks from \$50 to \$1,400. *Cimenero's Banquet*

*Center, 123 N. Main St., Niles.*

**5:30 to 7 p.m. – Akron Dem lawmakers host education town hall:** Sen. Vernon Sykes and Rep. Tavia Galonski are set to join the Barberton School Board to discuss the new state budget and its impact on schools. *Barberton High School, 555 Barber Rd., Barberton.*

**6:30 p.m. – Mike Gibbons to campaign in Columbus 'burb:** The Republican U.S. Senate candidate plans to attend the Fairfield County Republican Party's "Party in Pickerington." Rule 3, *650 Windmill Dr., Pickerington.*

**6:50 to 7:50 p.m. – GOP reps to hold tele-town hall on voucher legislation:** Americans for Prosperity-Ohio is hosting a public tele-town hall meeting with Sen. Matt Huffman and Rep. Kyle Koehler about their companion bills to expand school vouchers. The public can participate by calling (877) 229-8493 and using the access code 116727.

**7 to 9 p.m. – Kenyan health officials discuss global gag rule:** Human-rights activist Lisa Shannon, along with health officials Amos Simpano and Melvine Ouyo from Kenya, are scheduled to speak against the "global gag rule," which prohibits federal funding for overseas NGOs involving abortion-related activities. *Instructional Room B, Hale Hall, Ohio State University, 154 W. 12th Ave., Columbus.*

## **Five Questions**

Republican Ohio Attorney General Mike DeWine is running for governor in 2018. He has spent decades in public office as a U.S. senator, lieutenant governor, congressman, state legislator and Greene County prosecutor. He and his wife have eight children and 22 grandchildren.

*1. Curbing Ohio's opioid epidemic is a priority to you. You're suing five pharmaceutical companies that manufacture the pain pills. Do you know anyone personally who has become addicted to opioids?*

"I've had people who I was close to who have worked for me who lost a

child to opioid addiction... (After almost every speech) there's someone that comes up to me and talks to me about a family member who is in recovery. Or unfortunately, many times the story is their loved one has died."

*2. How would you evaluate Gov. John Kasich's approach toward the opioid epidemic?*

"I think we need more of a sense of urgency in Ohio about the problem. And we're losing now probably 15 people a day."

*3. Some of your opponents in the GOP gubernatorial primary have traded barbs. How do you stay above the fray – especially when there's a lot of outside spending inciting ill will?*

"I think what people in Ohio care about is the candidate's vision for the future of the state... I want to talk about what we're going to do."

*4. Your wife, Fran, is renowned for her baking skills. Is there anything she makes that you don't like?*

"My only complaint is she doesn't make pie often enough."

*5. Beatles or Rolling Stones?*

"Firmly Beatles. I associate early Beatles more with falling in love with my girlfriend, who became my wife... It's part of the soundtrack of our life."

## **Straight From The Source**

"Tonight's vote is a giant setback for every consumer in this country. Wall Street won and ordinary people lost."

- Consumer Financial Protection Bureau Director Richard Cordray, after the U.S. Senate overturned a CFPB rule allowing class-action lawsuits against financial institutions.

***One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at [Capitolletter@cleveland.com](mailto:Capitolletter@cleveland.com).***

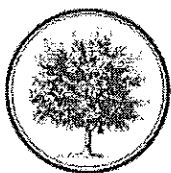
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**From:** The Buckeye Institute  
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**Subject:** What's hot right now? Issue 2 on Ohio's ballot, that's what

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Everywhere we go-oh, people want to know-oh....

So we tell them.... we at your Buckeye Institute are your #1 best resource for sound policy research, but unfortunately we do not advocate for or against individual candidates or ballot issues--no matter how many of them we suspect will have good or bad impact if they prevail (we follow politics, yes we do, we are not entirely nerdy wonks, how 'bout you?).

While we definitely evaluate the policies contained in the ballot issues, it is up to you to take our research and study the issues before determining which way to vote.

Oh, sure, we have opinions (adamant well-informed ones, too!), but our job is to serve as your first resource for objective independent policy research.

As a consolation prize, hot off the press is our just-released blog that Buckeye's national healthcare expert Rea S. Hederman Jr. posted today describing the policy implications involved with Issue 2 that Ohioans are considering on their ballots Tuesday, Nov. 7.

To help clear your conscience and make an informed decision, give the blog a close read, mark your calendars for November 7, and make your way to the polls next Tuesday to vote whichever way you think is right.

May the best candidates and policies win!

---

## **Getting Less for More: Ohio's Proposed Drug Price Control Policy (a.k.a. "Issue 2")**

**By Rea S. Hederman Jr.**  
**October 30, 2017**

Next Tuesday, Ohioans will decide whether to enact a policy that would create price controls for pharmaceuticals that are paid for by the state of Ohio. Advocates claim that these price controls can save the state of Ohio money. Opponents argue that these savings are dubious and price controls will create a host of other problems.

Price controls, whether for drugs, housing, gasoline or blueberries are bad policies. They distort the marketplace and create shortages. If price controls worked, socialist governments throughout history would not have seen their economies disintegrate and the supply of goods disappear.

Regrettably, price controls for drugs is not a new idea. Foreign countries around the world have imposed price controls at the cost of denying **citizens access to either new drugs** or entire classes of drugs. In the United States, the federal government has a system of price controls on drugs available to patients in the Veterans Affairs (VA) medical system. Although some folks might like us to believe that system can be easily transferred to Ohio, it is not that simple.

Beyond the negative impact of price controls that are known to economists around the world, there are other reasons this proposal is bad policy for Ohioans and nearly impossible to implement.

### **VA Patients Have Access to Fewer Drugs**

The consequence of VA price **controls** is that its patients **have less access to drugs compared** to Medicare beneficiaries. This is particularly true for access to generic drugs. Almost 100 percent of Part D drugs have a generic equivalent while only half of VA drugs have a generic equivalent. If Ohio adopts price controls, many Ohioans will pay



more because they will lose access to their cheaper generics and will be forced to buy the more expensive "name brand" drugs instead.

### **Ohio Doesn't Oversee its Own Health Care System**

The VA has its own network of hospitals and health care providers, and since it controls its own network, the VA knows which prices it negotiates throughout the system. In Ohio, we have many hospitals, health care systems, and health care providers. And people on a state-funded plan (anyone for whom the state helps pay for health care—from Medicaid recipients to state employees who receive health care through their employer, which is the state of Ohio) see the same doctors and go to the same hospitals as those who pay for their own plans and those whose plans are paid for by private employers.

To complicate this situation further, the VA does not make its entire list of negotiated prices readily available, so frequently Ohio would have no idea what price it should be paying for drugs. That means you could be delayed in getting life-saving medication due to bureaucratic slowness in Washington, D.C., because -- under the proposal -- the state is not allowed to pay more than the VA price.

### **Ohio Would Lose Savings it is Already Getting Through its Negotiations**

When Ohio negotiates its drug prices, it often receives rebates from drug manufacturers. For example, Ohio pays a pharmacy \$1 for an antibiotic pill, but the manufacturer of the pill gives the state a large rebate so the real cost to the state is 80 cents a pill. Like a grocery store manufacturer's coupon, the rebate goes to the purchaser, the state of Ohio, and not the retail seller -- in this case the pharmacist or grocery store.

Under the current proposal, Ohio would pay pharmacists the VA price for the pill with no negotiation. If the pharmacist is no longer receiving \$1 a pill, but is receiving 75 or 80 cents a pill, then pharmacists may be losing money on some drugs. And if pharmacists lose money on a certain drug, they may have to stop selling it in order to keep their businesses open. All this for a dubious amount in "savings."

### **Many Ohioans Will Pay More for Necessary Medication**

If you don't work for the state and are one of the many Ohioans who has insurance through a private employer, price controls could force you to pay more for the medications you need.

Ohioans on private plans belong to large purchasing groups through health insurers who bargain for cheaper prices through bulk drug sales. This makes drugs **more affordable** for all members of the buying group. If this proposal (Issue 2) is adopted, Ohioans, who receive health care through state plans, will no longer be allowed to bargain on any drug

covered by the VA. That means the purchasing group will be smaller, and those remaining will have less bargaining power. That will result in higher prices for other members in the group.

While price controls seem alluring as an easy way to create savings, whenever they have been tried, they result in shortages, reduced access, and higher prices for some products. This proposed price control policy will be no different and savings to the state will come at the cost of availability of necessary drugs and higher costs to Ohioans.

*Rea S. Hederman Jr. is executive vice president at The Buckeye Institute and is an expert in health care policy.*

###

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**From:** The Buckeye Institute  
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**To:** Miller, Brad  
**Subject:** Buckeye's Greg Lawson: Controlling Board Vote on Medicaid Spending Highlights Need for Greater Reform

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Contact: Lisa Gates, Vice President of Comms

**FOR IMMEDIATE RELEASE**

October 30, 2017

(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

### **Buckeye's Greg Lawson: Controlling Board Vote on Medicaid Spending Highlights Need for Greater Reform**

**Columbus, OH --** The Buckeye Institute's Greg R. Lawson issued the following statement on today's vote by the Controlling Board to **approve \$264 million in Medicaid** spending.

"Today's Controlling Board vote to authorize the **Department of Medicaid** to spend an additional \$264 million in taxpayer dollars highlights the need for far greater reforms to a program long known as the 'Pac-Man' of the state budget.

"Before any further dollars are appropriated, the General Assembly should make certain that the Kasich Administration will seek waivers that add meaningful personal responsibility requirements for those in the expansion population, **including the Healthy**

**Ohio waiver**, which would empower Medicaid recipients to obtain better care, put Ohio's Medicaid program on sounder financial footing, and ensure that needy Medicaid enrollees have to access to good medical care."

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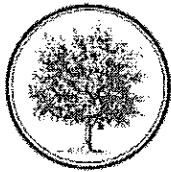
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**From:** The Buckeye Institute  
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**To:** Miller, Brad  
**Subject:** The Buckeye Institute: Competition is Critical When Replacing Aging Water & Sewer Lines

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**FOR IMMEDIATE RELEASE**  
November 1, 2017

### **The Buckeye Institute: Competition is Critical When Replacing Aging Water & Sewer Lines**

**Columbus, OH** -- Following on The Buckeye Institute's policy brief, *Competition Saves Taxpayer Money on Water and Sewer Line Repair*, Buckeye's Greg R. Lawson submitted testimony (see full testimony below) to the Ohio House State and Local Government Committee on the policies in House Bill 121.

In his testimony, Lawson highlighted the issue of water and sewer infrastructure as one that is important "not only for taxpayers' pocketbooks but also for their health and wellbeing."

Lawson went on to note that there are a number of considerations engineers and local officials must take into account when determining the best materials to use for water and sewer pipes saying, "Many factors, such as soil conditions and load, influence the

engineering specifications for such a project. Design engineers are qualified experts who must closely study the particular conditions of the project and take these factors into account. They are therefore in the best position to determine what material or materials are suitable."

Of critical importance is to ensure that taxpayers get the best value and the best product for their infrastructure projects with Lawson stating, "Governments should embrace competitive bidding...[and] refrain from imposing regulations that negate the market incentives for industries to lower costs and provide better products."

###

**Interested Party Testimony Submitted to the  
Ohio House State and Local Government Committee on House Bill 121**

**Greg R. Lawson, Research Fellow  
The Buckeye Institute for Public Policy Solutions  
November 1, 2017**

Chair Anielski, Vice Chair Hambley, Ranking Member Holmes, and members of the committee, thank you for the opportunity to testify today. My name is Greg Lawson and I am the research fellow at **The Buckeye Institute**, a think tank that advocates free-market policies for Ohio.

The policy under consideration addresses the funding and regulation of public water and wastewater projects. This is an important issue not only for taxpayers' pocketbooks but also for their health and wellbeing, and one we looked at in our recent policy brief, *Competition Saves Taxpayer Money on Water and Sewer Line Repair*.

Many factors, such as soil conditions and load, influence the engineering specifications for such a project. Design engineers are qualified experts who must closely study the particular conditions of the project and take these factors into account. They are therefore in the best position to determine what material or materials are suitable.

If more than one material is suitable, economics will likely become a factor. The best value may not always be the cheapest bid. The lowest-cost material that meets the specification may indeed be the best value, or the highest-cost material may be the best value over the long-run, taking into account factors such as the durability of the material and financing terms.

To ensure that taxpayers get the best value, governments should embrace competitive bidding. Free competitive markets raise quality and lower prices. Governments should refrain from imposing regulations that negate the market incentives for industries to lower costs and provide better products.

Businesses should make their best proposal for the work required, and governments should select the bid that provides the best value for taxpayers. Taxpayers can and should make local officials justify their decisions and hold them accountable.

Indeed, Ohio recognizes the value of competitive bids and state law requires government contracts be open to competitive bidding in most situations.[1] As the Ohio Supreme Court has explained, competitive bids on government projects "protect the taxpayer, prevent excessive costs and corrupt practices, and provide open and honest competition in bidding for public contracts." [2]

Engineers may worry that absent a restrictive ordinance, the county may be required to choose the lowest bid. But that is not the case. Ohio law instructs that contracts be awarded to the "lowest and *best* bidder." [3] Thus, if, in the engineer's professional opinion, the lowest bid is not also the best bid, the engineer may legally select the better product or service even at the higher price. [4]

As communities look to repair and replace expensive infrastructure, local leaders should embrace competition and accountability and respect the know-how of the trained professionals tasked with fixing the problems.

Thank you for your consideration. Appended to my testimony is a **reprint of an op-ed** that Buckeye recently published in a local Ohio newspaper which you may also find useful and informative.

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[1] Ohio Rev. Code Ann. § 307.86.

[2] *Cementech v. City of Fairlawn*, 109 Ohio St. 3d 475, at 477.

[3] Ohio Rev. Code Ann. § 735.05 (Emphasis added).

[4] *Danis Clarkco Landfill Co. v. Clark County Solid Waste Management Dist.*, 73 Ohio St. 3d 590, at 603.

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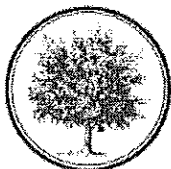
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## THE BUCKEYE INSTITUTE

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### Spring promises of partnership on health care reform are growing cold for states

*The Hill*

By Rea S. Hederman Jr.

November 2, 2017

In March, the Trump administration announced new plans for state flexibility on health care waivers for both Medicaid and state innovation 1332 waivers found in the Affordable Care Act. Recently, states have found this promised flexibility is not becoming a reality for either innovation or Medicaid waivers. If the Trump administration wants to fulfill the promise made earlier this year, then they need to send a strong signal to states that they indeed have a willing partner in Washington.

A letter, from then Health and Human Services Secretary, Tom Price to state governors, said the administration was "seeking to provide more flexibility and opportunities for innovation on the state level." The letter outlined ways that states could use a Section 1332 waiver to lower premiums on the individual market through a high-risk pool. Later

that spring, **HHS published a checklist** to help states prepare and file compliant 1332 waivers.

As a result, states responded; and several state's waiver applications included the creation of a high-risk pool. Other states, like Oklahoma and then Iowa, went even further seeking to utilize 1332s to escape some of the constraints of the Affordable Care Act. Twenty-four states have seriously explored using a 1332 waiver to improve their health care systems.

The momentum for state flexibility grew as Alaska's 1332 waiver was officially approved. Other states continued to file reinsurance waivers and hoped for an expedited review before open enrollment started.

States stressed the need for timeliness from HHS and cited the Trump administration's public positions on innovation and partnership to ameliorate harm from the Affordable Care Act. States like Arkansas publicly embraced congressional legislation that would have empowered states by using block grants to fund Medicaid and other public health spending as well as pursuing waivers.

In September, Iowa's bold 1332 plan was certified by HHS as being officially submitted, and Iowa officials were optimistic that HHS would work with them. Just weeks later, Iowa withdrew its waiver application citing the inflexibility of the waiver process.

Oklahoma also withdrew its waiver application again citing frustration with federal officials and the lack of timely support from HHS. Another state, Massachusetts, recently had a waiver denied by HHS and states are now dubious of the ability of 1332 to affect change.

States are frustrated that the waivers requested on an expedited basis were slow in receiving approval or feedback from HHS. As a consequence, many have not been able to implement solutions that would help improve access to health care before this year's open enrollment period.

The spring promises of flexibility and openness now feel like business as usual in Washington, where states who propose and try innovative solutions are rejected by federal officials. It is common for states to have bold waiver ideas rejected by Washington, but many states had hoped for a different attitude from the new president.

It is not too late for the administration to revisit and live up to its promised flexibility of the spring. If HHS truly does want innovation from the states, it needs to send a strong signal to counteract the recent disappointments from the waiver process.

A strong signal could include withdrawing and then revising the Obama-era 1332 guidance, approving a strong Medicaid waiver with work requirements, implementing a Medicaid expansion freeze, or implementing a change in expansion eligibility such as an Arkansas waiver proposal.

States are still in need of the freedom to design their Medicaid and health insurance markets to best meet the needs of their citizens, and many congressional proposals want to expand on this flexibility. Initially the Trump administration promised flexibility, but states are waiting to see a strong show of action that it is a new day in Washington. Without such a signal, states will tinker around the edges and Washington will continue to centralize more power on health care.

*Rea S. Hederman Jr. is executive vice president of the Buckeye Institute and an expert in health care policy.*

###

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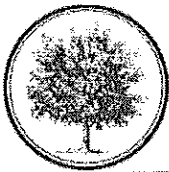
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## THE BUCKEYE INSTITUTE

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### Making Ohio Work for the Little Guy

By Greg R. Lawson  
November 7, 2017

Many local government officials in Ohio are among those from the **238 different cities** waiting with baited breath to find out if their bid to secure the new Amazon headquarters has a shot. Indeed, **Cincinnati** may offer nearly \$1 billion in tax breaks while **Cleveland**, though skittish about disclosing its offering, no doubt will pony up big breaks too, as will **Columbus**. However, something amid all this hype (and hyperventilation) is being lost, which is, most new jobs come from small business (those employing fewer than 50 people).

That's right, most real job growth in Ohio's economy is not going to come from a blockbuster deal with high-tech behemoths like Amazon or **Facebook**. Rather, it will come from new start-ups and small business. Several years ago, the **Kaufmann Foundation** concluded that between 1977 and 2005 existing U.S. firms sustained a net *loss* of jobs per year, while first year start-up businesses added an average of three million jobs annually. Most new businesses, of course, start small, which means that attracting new *small* businesses is vital to Ohio's economic future.

Interestingly, as outlined in a **new survey** from Thumbtack.com, small business owners don't want big targeted tax breaks. Rather, they want simplified regulations, better training programs, and easier to navigate government websites and bureaucracy. The survey found that business owners reported they spent more than 8.5 hours a year just trying to comply with government regulations and file all the needed paperwork.

While there were several positive comments in the Thumbtack survey that reflect some of the efforts government has made to be more business friendly, there can be no doubt there is room for improvement. Comments from those **surveyed in Ohio** highlight some of the frustration. For example, a life coach in Columbus said it was easier to start a business in Washington state than Ohio. An animal trainer in Granville summed it up very well:

"Ohio, on one level is a business-friendly state, but for very small businesses such as mine, it can be very difficult navigating the labyrinth of taxes, registrations, and all the regulations and compliance issues."

Herein lies the problem. Ohio does well for medium and big businesses, but more must be done for the little guy.

The Buckeye Institute has pointed out several areas for improvement:

- Fixing Ohio's absurdly complex **municipal income tax**;
- Making **state taxation simpler**;
- **Reforming local government** to become more efficient; and
- Reform Ohio's burdensome **occupational licensing system**.

Naturally, this is just a start. But these are the policies that will keep Ohio moving forward and will have a more beneficial impact than lavishing incentives on the trendy companies. Furthermore, at a time when many Ohioans feel left out of the new economy, showing them that Ohio's leaders really are looking out for them is much more than just a political gesture, it is the key to showing them they are just as important as the head honchos of Silicon Valley.

*Greg R. Lawson is the research fellow at The Buckeye Institute.*



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# Capitol Letter

Laura Hancock and Jeremy Pelzer



Ohio Secretary of State Jon Husted checks in to vote Tuesday at Windermere Elementary School in Columbus.

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## Rotunda Rumblings

**Not even close:** Money talks. The campaign against Issue 2, backed by more than \$58 million from the pharmaceutical industry, crushed the drug-pricing initiative in Tuesday's election by about 4-to-1. Or maybe it was just a bad idea and the voters were wise. Either way, it was the most expensive ballot campaign in Ohio history.

It was the opposite outcome for the lower profile Issue 1 crime victims amendment, which passed by an equally lopsided margin.

**Duty calls:** Workers should get unemployment benefits if they quit to follow military spouses who have been transferred, according to testimony in a state Senate committee Tuesday. House Bill 158 – which already passed the House -- is similar to a Senate Bill 132, which is believed to only affect about 44 spouses a year. The Ohio Chamber of Commerce is watching the measures, questioning the wisdom of expanding benefits when the system is insolvent, but believing the bills are narrow enough to not take a formal position, said Don Boyd, the chamber's director of labor and legal affairs.

**Told ya so:** State tax revenue for October was almost exactly on par with projections, according to the Office of Management and Budget. Preliminary numbers show total tax receipts of \$1.78 million last month, 0.2 percent higher than anticipated. Income-tax revenue for October was \$638,659 – precisely what state officials expected.

**Hold your horses:** While 238 cities – including Cincinnati, Columbus and Cleveland – are throwing billions in incentives in hopes of scoring Amazon's HQ2, the Buckeye Institute notes that it's actually small businesses employing fewer than 50 people that provide most jobs. Amazon might be sexy, but the conservative think tank concludes job growth in Ohio will come from new start-ups and small businesses -- "the little guys" who the institute says prefer less regulation over blockbuster incentives.

**Six file for Hite's Senate seat:** The applicants to finish the last 13 months

of resigned Sen. Cliff Hite's term in Senate District 1 include Reps. Craig Riedel and Rob McColley, Paulding County Commission President Roy Klopfenstein, Findlay High School Principal Craig Kupferberg, retired Ottawa businessman Frank Miller Jr. and State Highway Patrol officer Jeff Smalley of Bellefontaine. A Senate GOP screening committee will make a recommendation to the Senate Republican caucus, which will vote on an appointee for the Northwest Ohio district.

**Stand by your man:** House Republicans are sending some firepower for a new GOP candidate seeking term-limited Rep. Marlene Anielski's seat in southeastern Cuyahoga County. House Speaker Cliff Rosenberger and other GOP lawmakers will be on hand Wednesday as ex-Bentleyville mayor and welding company CEO Michael Canty announces his candidacy for House District 6, considered a potential pickup for Democrats in 2018.

**Wake-up call:** Statehouse workers plan to conduct a fire-alarm test at 7 a.m. on Wednesday in the Statehouse, Senate Building and underground garage. The test is set to wrap up by 7:30 a.m., according to a CSRAB press release.

## Stories We're Talking About

**Women speak out:** More than 30 women legislators and staff members – all Democrats – signed an open letter saying the Ohio legislature is not doing enough to combat sexual harassment, [cleveland.com](http://cleveland.com)'s Jackie Borchardt reports. Republican leaders in the House and Senate have called for sexual harassment training since the recent resignation of GOP Sen. Cliff Hite, who was accused of repeatedly propositioning a state employee, and the release of records mentioning four incidents of alleged harassment or discrimination by legislators or staffers in the past four years.

**Don't count on it:** Ohio owes the feds \$29.5 million for overstating the number of children enrolled in Medicaid, [reports Jim Siegel of the Columbus Dispatch](http://columbusdispatch.com). The state incorrectly included blind and disabled children, Siegel writes. "That led to unallowable bonus payments of \$4.7 million to \$10.8 million per year" from 2010 to 2014. The state disputes the findings, Siegel reports.

**Costly crisis:** "Ohio's opioid crisis is stretching the state's foster care system as more and more children are removed from the homes of their drug-addicted parents," leading several Ohio counties to turn to voters Tuesday for more money for foster care programs, the Associated Press reports. "One in every two children in Ohio foster care has a parent who uses drugs," according to the AP.

**Paid up:** Zack Space, the Democratic former congressman running for state auditor whose law license was suspended after he failed to renew his registration as a lawyer, paid up Monday and designated his registration as "inactive," reports Randy Ludlow of the Dispatch. Space has noted that he hasn't practiced law for a number of years, but that didn't stop Republicans from criticizing him for the lapse.

**Taxing exercise:** It's not easy to figure out who wins and who loses under the tax overhaul proposed by congressional Republicans. But cleveland.com's Stephen Koff has an informative Q & A that sorts through the competing claims.

## What's Going On Today

**9:45 a.m. – State Medical Board meeting:** Committees start meeting at 7:30 a.m. 30 E. Broad St., 3rd floor.

**11:30 a.m. to 1 p.m. – Reps. Mike Duffey and Laura Lanese fundraising luncheon:** Sponsor levels range from \$350 to \$1,000. OHROC, 21 W. Broad Street, 7th Floor.

**11:45 a.m. – DeWine to keynote Cleveland business conference:** Ohio Attorney General Mike DeWine is slated to give luncheon remarks at "Growing Your Business: Utilizing Local, State, and University Resources," a conference co-sponsored by DeWine's office and Case Western Reserve University. *Linsalata Alumni Center, Case Western Reserve University, 11310 Juniper Rd., Cleveland.*

**12:30 p.m. – Rosenberger, GOP lawmakers to attend candidate**

**announcement:** Speaker Cliff Rosenberger and other House Republicans will be on hand as ex-Bentleyville mayor and welding company CEO Michael Canty announces his candidacy for House District 6. *Alloy Bellows & Precision Welding, Inc., 653 Miner Rd., Cleveland.*

**1:30 p.m. – Kasich to attend Cuyahoga County research center opening:** Ohio Gov. John Kasich is scheduled to be on hand for the opening of the new QED Research Center. *6655 Beta Drive, Ste. 150, Mayfield Village.*

**1:30 p.m. – Public Utilities Commission of Ohio meeting.** *180 E. Broad St., Room 11B.*

## **On The Move**

Margy Conditt, the Butler County Republican who stepped down from her Ohio House seat in August, has been named to the Ohio Right To Life Board of Trustees.

## **Full Disclosure**

Five things we learned from the May 15 ethics filing of state Rep. Fred Strahorn of Dayton, who serves in Democratic House leadership as minority leader.

1. In addition to his legislative salary of \$91,165, last year he received local and state income tax refunds of up to \$999 each.
2. He invests in a college fund, Morgan Stanley Scholars Choice.
3. In 2016, he owed more than \$1,000 to Wright Patt Credit Union, Dell, HBSC and Cross County Bank.
4. The state reimbursed him \$3,229.20 for legislative travel expenses.
5. He received gifts worth at least \$75 from Hamilton County

Commissioner Denise Driehaus, the Ohio Democratic Party and the Democratic National Committee.

## **Straight From The Source**

“We’ve raised expectations for what an administration should do.”

- Standup comedian Drew Hastings, telling the BBC he won’t seek a third term as mayor of Hillsboro, Ohio. Hastings was accused last year of abusing his power, but a jury found him not guilty.

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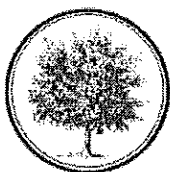
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## THE BUCKEYE INSTITUTE

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### The Future of Medicaid Depends on Meaningful Reform

**By Greg R. Lawson**  
**November 15, 2017**

On October 30, the Controlling Board authorized **spending another** \$264 million of your taxpayer dollars so that the state could draw down more than \$630 million of your taxpayer dollars from the federal government to pay for Medicaid. As I **stated** after the vote:

"Before any further dollars are appropriated, the General Assembly should make certain that the Kasich Administration will seek waivers that add meaningful personal responsibility requirements for those in the expansion population, **including the Healthy Ohio waiver**, which would empower Medicaid recipients to obtain better care, put Ohio's Medicaid program on sounder financial footing, and ensure that needy Medicaid enrollees have to access to good medical care."

Medicaid spending was exploding well before the misguided expansion in 2013. Despite the happy talk of Medicaid coming in "under budget," the influx of more than 700,000

able-bodied adults, according to the **latest enrollment numbers**, has nearly stressed the program to its breaking point. In **August 2017**, the total spending for Medicaid totaled \$2.4 billion.

That's is **\$354.9 million**, or 17.4 percent, more than spending for the same month in the previous fiscal year!

Fortunately, the Kasich Administration has said they are crafting waivers that will stabilize and improve Medicaid by including minimal work requirements and minimal cost sharing for the able-bodied adults in the expansion population (this excludes the elderly and the disabled). This is a positive development and one that will ensure Medicaid is stable and able to serve future generations of Ohioans.

To achieve this goal and ensure Medicaid stability, it is imperative that the General Assembly holds the administration accountable not only in merely drafting the waivers, but in ensuring that they accomplish meaningful reform.

The good news is, the director of the Centers for Medicare and Medicaid Services (CMS), Seema Verma, has stated the administration **will approve work requirements for Medicaid**. However, we must be careful, work requirements with a laundry list of exemptions will not stabilize Medicaid and ensure it is around in the future, nor will premiums that are too low. We must find the proper balance that enables low-income Ohioans in the expansion population to afford Medicaid while stabilizing the program.

Ultimately, for any of these waivers to be effective in stabilizing Medicaid there must be teeth in the requirements, otherwise they are little more than political window dressing. One such provision should be a requirement that abled-body adults in the expansion population must pay the minimal premium and meet the minimal work requirement to access the program. These requirements would not only help stabilize Medicaid, but would help people rebuild their lives through personal responsibility.

These ideas aren't new, and they have been proven successful in many states for children in the **Children's Health Insurance Program**, better known as CHIP. Given the success of requirements in CHIP, it would be wise for Ohio to implement the same model for those abled-body adults in the Medicaid expansion population.

There are other requirements Ohio should look at. For example, people who arrive at the emergency room without any coverage should be treated under charity care laws. This provision would encourage people to obtain and maintain health coverage when they are healthy. This policy has been approved by the CMS in a waiver requested by Iowa and

will help reduce gaps in coverage while avoiding people only applying for Medicaid when they are sick. These provisions would create a more stable system and would enable people to more smoothly transition to private health insurance.

Ohio leaders have a chance to ensure the stability of Medicaid for future generations while providing care for those in need. This is an opportunity that should not be missed. If the administration is unwilling to move forward on these commonsense reforms, then the General Assembly should move forward with overriding vetoes including the **Medicaid Freeze and Healthy Ohio**.

Failure implement these commonsense reforms will only hasten the day of fiscal reckoning for Ohio.

*Greg R. Lawson is the research fellow at The Buckeye Institute.*

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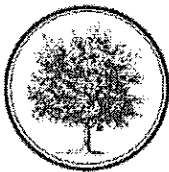
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### **Buckeye's Rea Hederman: Something to be Thankful for in Ohio's Jobs Numbers**

**Columbus, OH** - Rea S. Hederman Jr., executive vice president at **The Buckeye Institute**, commented on newly released unemployment data from the **Ohio Department of Job and Family Services**.

"In time for the holidays, the Ohio labor market is looking up. The household survey showed a solid month for the labor market with the unemployment rate falling from 5.3 percent to 5.1 as more Ohioans found work. Further positive news is that Ohio now matches the U.S. average in labor force participation at 62.7 percent, after trailing the national average for much of the past year.

"The business survey was also positive, although not as strong, as only 1,000 private sector jobs were added to the Ohio economy. This is in part due to a fall in construction job opportunities (-1,100), a result of unseasonably wet weather in October. Local government hiring was up, and while positive for those who were hired, places additional strain on taxpayers.

"All in all, the Ohio economy is slowly looking up from dismal numbers this summer, and will hopefully continue to improve."

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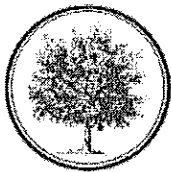
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**From:** The Buckeye Institute  
**Sent:** Monday, November 20, 2017 8:03 AM  
**To:** Miller, Brad  
**Subject:** License to Work 2.0: Past Time to End the Permission Slip Policy on Jobs,  
By Greg R. Lawson

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## THE BUCKEYE INSTITUTE

### License to Work 2.0: Past Time to End the Permission Slip Policy on Jobs

By Greg R. Lawson  
November 20, 2017

In all too many cases occupational licensing is little more than a mandatory permission slip that is imposed by a "Big Brother" like government and does little to ensure real public safety. Many of these burdens make it difficult for lower-income Ohioans to move up the ladder of economic success by getting a job and getting it quickly.

Earlier this month the Institute for Justice (IJ) released their second edition of the groundbreaking *License to Work* report. Building off their previous work, IJ outlined once again just how the explosive growth of occupational licensing has continued from coast to coast, including here in the Buckeye State.

Echoing concerns raised by their first edition of *License to Work* and by The Buckeye Institute in our own *Forbidden to Succeed* report, this version of the **IJ report** shows

that while Ohio continues to license fewer low- to moderate-income jobs than many other states, those it does license creak under greater burdens than well over half of the other states.

Consider that Ohio is the only state to license social- and human-service assistants while placing a particularly high burden on prospective auctioneers. Further, according to the IJ methodology, Ohio barbers lose 420 days to education and cosmetologists 350 days. By contrast, emergency medical technicians lose only 35 days.

This means it takes less time for someone who literally could have your life in their hands to meet the government requirements for work than it does for a person to whom you are merely entrusting your hair. This sort of ridiculousness is why **we have spoken out** so often on the need to lower the burdens on cosmetologists.

But we aren't the only ones who recognize that these onerous requirements are making it harder for people to get jobs and start working. The **Heritage Foundation**, the **Brookings Institute**, and to both the **Obama White House** and the **Trump Administration** have called for reducing these sorts of burdensome licensing requirements.

Ohioans should not have to get approval from the government in order to get a job and Ohio should adopt the least restrictive type of regulation that ensures public health and safety. And given the vast amount of information available to consumers on sites like Angie's List, Yelp, and the Better Business Bureau, it is past time for the government to get out of the business of giving professionals a seal of approval to work.

As burdensome as these regulations are on Ohioans, the burdens increase significantly on the families of military personnel who regularly move from state to state and are forced to reapply for licenses each time. The good news is, on this front there has been progress. **Ohio policymakers joined** Buckeye's fight to recognize out-of-state licenses for military spouses, which we raised in 2016 in our policy brief, ***Increasing Job Opportunities for Military Families***.

Despite this success, much work remains to be done for Ohioans and it is well past time for Ohio to get serious about reducing the burden of occupational licensing. It is time for Big Brother to get out of the way so people can get the jobs they are trained for and start building a better future for themselves and their families.

*Greg R. Lawson is the research fellow at The Buckeye Institute.*

###

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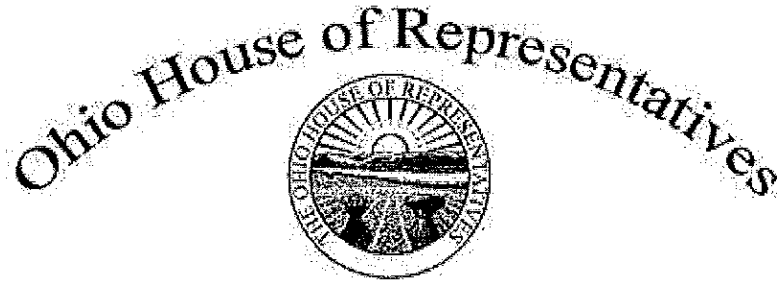
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**From:** Financial Institutions Housing & Urban Development Committee  
**Sent:** Tuesday, November 21, 2017 9:15 AM  
**To:** Hucke, Justin  
**Subject:** FIHUD Committee Announcement - 11.28.2017  
**Attachments:** notice.pdf



#### ANNOUNCEMENT OF COMMITTEE MEETING

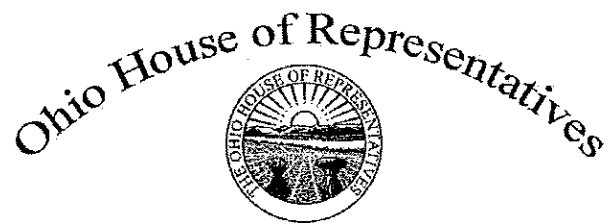
**COMMITTEE:** Financial Institutions, Housing, and Urban Development  
**CHAIR:** Jonathan Dever  
**DATE:** Tuesday, November 28, 2017  
**TIME:** 9:00 AM  
**ROOM:** Room 114

#### AGENDA

<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
H. B. No. 390	Rep. Merrin	Clarify computation of timelines for forcible entry and detainer	1st Hearing Sponsor
H. B. No. 386	Rep. Henne, Rep. Kelly	Modify credit reporting agency fees for a credit report freeze	1st Hearing Sponsor
H. B. No. 320	Rep. Hagan, Rep. Roegner	Inform public about state financial status	2nd Hearing Proponent
H. B. No. 353	Rep. Reineke	Exempt loop credit and reward cards from Unclaimed Funds Law	3rd Hearing Poss. Am. Prop/Opp/IP

H. B. No. 282	Rep. Hambley	Prohibit criminal mischief against residential rental property	4th Hearing Poss. Am. Prop/Opp/IP
H. B. No. 329	Rep. Pelanda	Modify law governing pyramid promotional schemes	4th Hearing Poss. Vote Prop/Opp/IP

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least 24 hours prior to committee.



# ANNOUNCEMENT OF COMMITTEE MEETING

**COMMITTEE:** Financial Institutions, Housing, and Urban Development  
**CHAIR:** Jonathan Dever  
**DATE:** Tuesday, November 28, 2017  
**TIME:** 9:00 AM  
**ROOM:** Room 114

## AGENDA

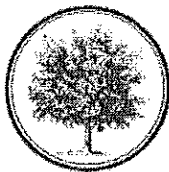
<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
H. B. No. 390	Rep. Merrin	Clarify computation of timelines for forcible entry and detainer	1st Hearing Sponsor
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**From:** The Buckeye Institute  
**Sent:** Tuesday, November 21, 2017 10:13 AM  
**To:** Miller, Brad  
**Subject:** "Gotta Get Back in Time": Ohio's Prison Population Falls to 2013 Levels,  
By Daniel J. Dew

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## THE BUCKEYE INSTITUTE

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Ohio's prison population has fallen below 50,000 for the first time since 2013, and Buckeye's Daniel J. Dew looks at some of the policy decisions behind this milestone along with some funny videos to remind us what else was happening in 2013...hint we beat The Team Up North.

---

### **Gotta Get Back in Time: Ohio's Prison Population Falls to 2013 Levels**

**By Daniel J. Dew**  
**November 21, 2017**

## Huey Lewis And The News - Back In Time



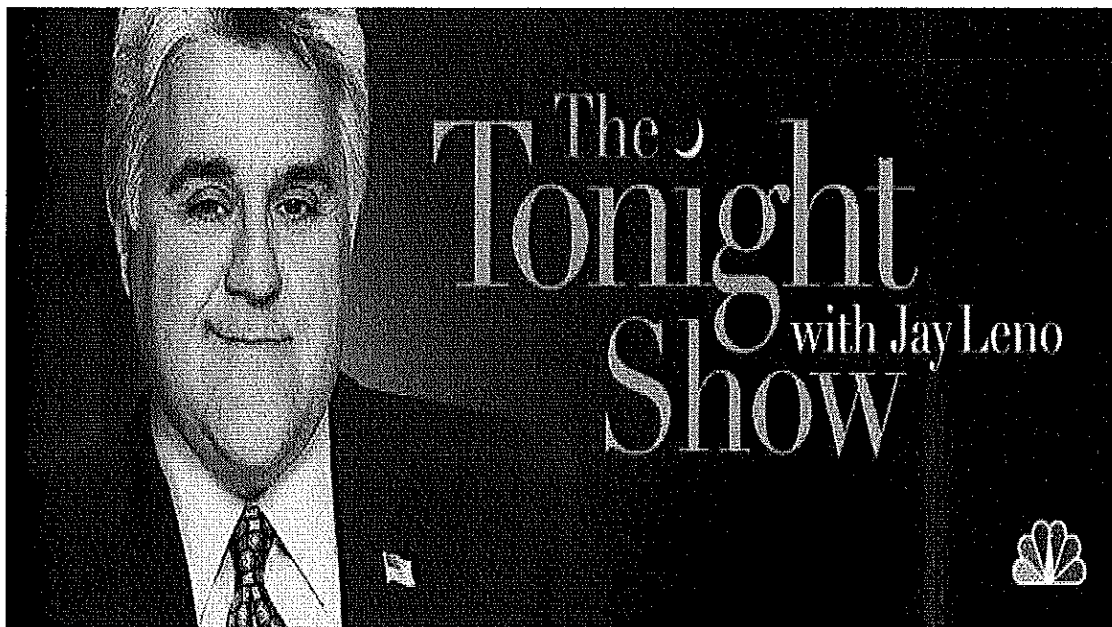
The **Ohio Department of Corrections and Rehabilitations** just released information that Ohio's prison population has fallen below 50,000 down to **49,860**.

That's good news and hasn't happened since 2013, when...

**The Office** was wrapping up its final season.



Jay Leno was still the host of The Tonight Show.



Everyone was making Harlem Shake videos.



And **Urban Meyer** was coming off his first season at **The Ohio State** where he led the Buckeyes to an **undefeated season**.





Ok, so March 2013 wasn't a super long time ago, but Ohio has not only stopped the increase in its prison population, but is now heading in the right direction.

Ohio policymakers have made a concerted effort to safely reduce the prison population and those efforts are being rewarded. Policies such as **2011's Justice Reinvestment Act** and this year's **Targeted Community Alternatives to Prison (T-CAP)** which rehabilitate low-level offenders outside of prison have proven to be effective.

Ohio's prison system costs taxpayers \$1.8 billion every year. By reexamining criminal justice issues, policymakers are ensuring that those dollars are spent wisely. Good policy ensures that dangerous criminals are off the streets, while those who have made mistakes and can be safely rehabilitated in the community are placed on the path to become responsible citizens.

Ohio is building on its past victories by continuing on the path to a safer, more efficient, criminal justice system through the **Criminal Justice Recodification Committee**, probation and post-release control reform, and the upcoming work of the **Justice Reinvestment 2.0 Ad Hoc Committee**.

*Daniel J. Dew is a legal fellow at The Buckeye Institute's Legal Center and an expert in criminal justice reform.*

###

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**From:** The Buckeye Institute  
**Sent:** Tuesday, November 28, 2017 7:02 AM  
**To:** Miller, Brad  
**Subject:** ICYMI: Buckeye's President Robert Alt Writes about Worker Voting Rights in Forbes

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## THE BUCKEYE INSTITUTE

In a newly **published Forbes piece**, Robert Alt, president at The Buckeye Institute, looks at the need for Worker Voting Rights saying: "Our civil servants and public-sector employees deserve to have their voices heard and their choices matter -- they deserve worker voting rights."

Read the complete piece below and learn more about Worker Voting Rights at [www.WorkerVotingRights.org](http://www.WorkerVotingRights.org).

# Forbes

**It's Time For Public Sector Workers To Be Given A Voice  
And Choice**

*Forbes*

By Robert Alt  
November 27, 2017

Early next year, the Supreme Court will hear *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. Mark Janus is a child support specialist at the Illinois Department of Healthcare and Family Service who objects to paying union fees, which are currently a condition of his employment. He argues that the compulsory fees force him to speak through his union in ways that violate his First Amendment rights.

If Mr. Janus prevails, he and other public-sector employees will be able to choose whether or not to pay union dues or fees without threat of being fired, which would be a tremendous victory for workers. However, even if Mr. Janus wins in court, public sector union members will still have no say regarding which union represents their bargaining unit.

Every morning, hardworking men and women in every state drink their coffee and diligently go to work on our behalf -- in our neighborhoods as public school teachers, home care workers, engineers, and in agencies protecting the environment. Unfortunately, while these civic-minded professionals go to work for us, the labor unions that they must join in order to teach our children or serve our communities do not always work for them.

Once a public-sector union is certified, it remains the workers' representative -- potentially forever. In Ohio, for example, the Columbus Education Association has represented Columbus public school teachers since 1968 -- back when the Beatles were still together and before many of today's teachers were even born.

Heirloom unions inherited from the Nixon-era are depriving today's public workers and civil servants of any meaningful voice or choice in their workplace. Ninety-four percent of union workers have **never had the chance to vote for or against their unions** -- and still won't even if Janus succeeds in his case.

When a public-sector union fails to address employee complaints or mis spends union dues, there is no ballot to cast for change. Instead, public employees remain stuck with the hand-me-down unions that workers who wore bell-bottoms chose for them.

There is a solution.

With worker voting rights, public employees would have regular elections to encourage their unions to be more responsive to their members' interests. Worker voting rights gives union workers an opportunity to be heard, to voice their concerns to their union leaders, to better understand how their union dues are spent, and to choose for themselves whether to keep the union they have, vote their union out, or vote in a better union. Worker voting rights would incentivize union leaders to cultivate broader support among the workforce they represent and to be accountable to their rank-and-file members. Not surprisingly, 82% of unionized Americans **favor holding periodic votes on their union representation.**

Once-and-for-all unions that rarely -- if ever -- face re-election have no worry of being fired by their members for poor performance or disregarding members' concerns. In states that require workers to pay "fair share" fees as a condition of employment, union leadership failure has next to no consequences, because whether the union negotiates better working conditions for its members or not, whether it spends union dues wisely or not, whether it meets the needs of its members or not, there is almost nothing public employees can do to replace or remove the poorly performing union. Even if these public employees are dissatisfied with their representation, they have to continue paying their union dues or fair share fees, or else their employment can be legally terminated.

Public-sector unions and their insulated union officials know and count on this questionable practice of denying their members voting rights, allowing unions that are not taking care of their members to remain firmly entrenched regardless of their members' satisfaction. But state lawmakers can guarantee worker voting rights for public employees by providing for regular elections by law.

Unions have played a significant role in America's workforce for well over a century. But the interests of the unions themselves should never trump the interests of the hardworking men and women these unions represent. Our civil servants and public-sector employees deserve to have their voices heard and their choices matter -- they deserve worker voting rights.

*Robert Alt is President & CEO of The Buckeye Institute in Columbus, Ohio.*

###

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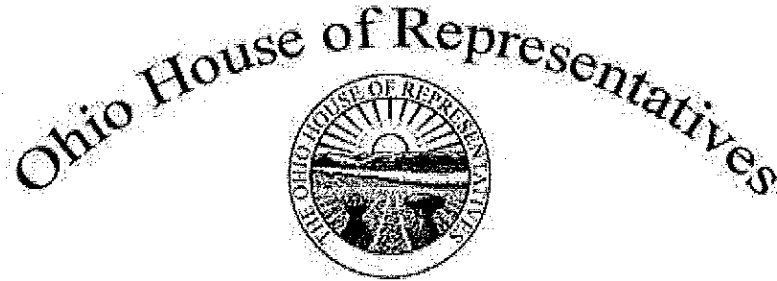
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**From:** Financial Institutions Housing & Urban Development Committee  
**Sent:** Friday, December 1, 2017 12:39 PM  
**To:** Hucke, Justin  
**Subject:** FIHUD Committee Announcement - 12.5.2017  
**Attachments:** notice.pdf



#### ANNOUNCEMENT OF COMMITTEE MEETING

**COMMITTEE:** Financial Institutions, Housing, and Urban Development  
**CHAIR:** Jonathan Dever  
**DATE:** Tuesday, December 5, 2017  
**TIME:** 9:00 AM  
**ROOM:** Room 114

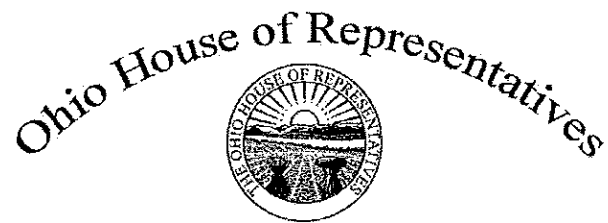
#### AGENDA

<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
H. B. No. 386	Rep. Henne, Rep. Kelly	Modify credit reporting agency fees for a credit report freeze	2nd Hearing Proponent
H. B. No. 390	Rep. Merrin	Clarify computation of timelines for forcible entry and detainer	2nd Hearing Proponent
H. B. No. 353	Rep. Reineke	Exempt loop credit and reward cards from Unclaimed Funds Law	4th Hearing Poss. Vote Prop/Opp/IP

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#### ANNOUNCEMENT OF COMMITTEE MEETING

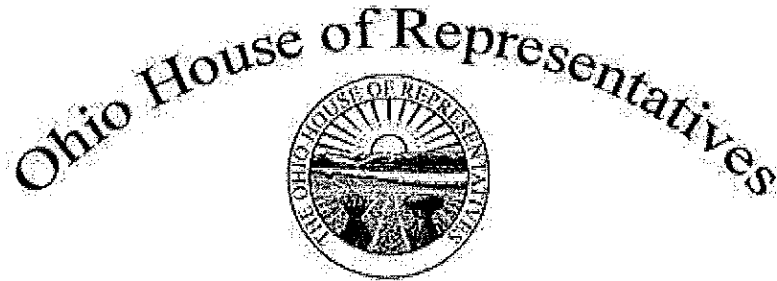
**COMMITTEE:** Financial Institutions, Housing, and Urban Development  
**CHAIR:** Jonathan Dever  
**DATE:** Tuesday, December 5, 2017  
**TIME:** 9:00 AM  
**ROOM:** Room 114

#### AGENDA

<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
H. B. No. 386	Rep. Henne, Rep. Kelly	Modify credit reporting agency fees for a credit report freeze	2nd Hearing Proponent
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**From:** Financial Institutions Housing & Urban Development Committee  
**Sent:** Thursday, December 7, 2017 1:50 PM  
**To:** Hucke, Justin  
**Subject:** FIHUD Committee Announcement - 12.12.2017  
**Attachments:** Witness Information form.docx; notice.pdf



#### ANNOUNCEMENT OF COMMITTEE MEETING

**COMMITTEE:** Financial Institutions, Housing, and Urban Development  
**CHAIR:** Jonathan Dever  
**DATE:** Tuesday, December 12, 2017  
**TIME:** 9:00 AM  
**ROOM:** Room 114

#### AGENDA

<u>BILL</u>	<u>SPONSOR</u>	<u>TITLE</u>	<u>STATUS</u>
H. B. No. 386	Rep. Henne, Rep. Kelly	Modify credit reporting agency fees for a credit report freeze	3rd Hearing Prop/Opp/IP
H. B. No. 390	Rep. Merrin	Clarify computation of timelines for forcible entry and detainer	3rd Hearing Opponent
H. B. No. 182	Rep. Seitz	Address debt adjusting	4th Hearing Poss. Vote Poss. Sub. Bill Prop/Opp/IP

H. B. No.	Rep. Reineke	Exempt loop credit and reward	5th Hearing
353		cards from Unclaimed Funds	Poss. Vote
		Law	Poss. Sub. Bill
			Prop/Opp/IP

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# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Are you representing: Yourself \_\_\_\_\_ Organization \_\_\_\_\_

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Best Contact Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes \_\_\_\_\_  
No \_\_\_\_\_

Business before the committee

Legislation (Bill/Resolution Number): \_\_\_\_\_

Specific Issue: \_\_\_\_\_

Are you testifying as a: Proponent \_\_\_\_\_ Opponent \_\_\_\_\_ Interested \_\_\_\_\_  
Party \_\_\_\_\_

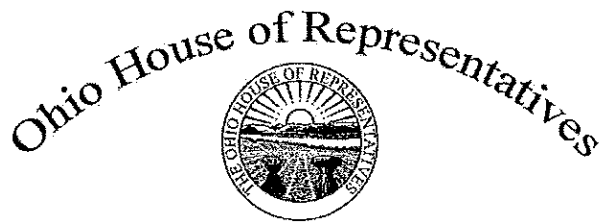
Will you have a written statement, visual aids, or other material to distribute? Yes \_\_\_\_\_  
No \_\_\_\_\_

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

How much time will your testimony require? \_\_\_\_\_

Please provide a brief statement on your position:

*Please be advised that this form and any materials (written or otherwise) submitted or presented to this committee are records that may be requested by the public and may be published online.*



## ANNOUNCEMENT OF COMMITTEE MEETING

**COMMITTEE:** Financial Institutions, Housing, and Urban Development  
**CHAIR:** Jonathan Dever  
**DATE:** Tuesday, December 12, 2017  
**TIME:** 9:00 AM  
**ROOM:** Room 114

### AGENDA

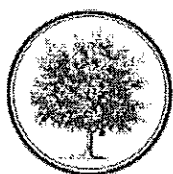
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**From:** The Buckeye Institute  
**Sent:** Thursday, December 7, 2017 5:44 PM  
**To:** Miller, Brad  
**Subject:** Proposed Changes to Ohio's Cash Bail Policy are First Step to Fixing Broken System

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Contact: Lisa Gates, Vice President of Comms

**FOR IMMEDIATE RELEASE**

December 7, 2017

(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

### **Proposed Changes to Ohio's Cash Bail Policy are First Step to Fixing Broken System**

**Columbus, OH -- The Buckeye Institute** issued the following statement upon the introduction of House Bill 439, sponsored by State Representative Jonathan Dever (R-28), which would move Ohio away from an arbitrary cash bail system and give judges more flexibility and more information to detain dangerous defendants before trial.

"Under Ohio's current bail system, pretrial release is determined by the amount of money a person has access to rather than the actual threat the person poses to the community. And the policies proposed today are the first step in reforming a broken system," said **Daniel J. Dew**, a legal fellow with The Buckeye Institute's **Legal Center**. "Ohio's cash bail system leads to the absurd results where a **drunken jaywalker** spends time in jail while a **child rapist** is released on bond only to murder the child set to testify against him."

In a forthcoming Buckeye Institute report, *"Money Bail": Making Ohio a More Dangerous Place to Live*, scheduled to be released next week, Dew looks at Ohio's failing cash bail system and the need to replace it with verified risk-assessment tools that provide a fairer, more efficient way to keep Ohio's communities safe and secure.

"In our report, we show that reliance on cash bail hurts the poor at the expense of taxpayers and gives dangerous defendants the opportunity to buy their way out of jail," Dew said. "Giving judges more information to make pretrial release decisions and giving them more tools to detain dangerous defendants will make Ohio communities safer."

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**From:** Hucke, Justin  
**Sent:** Friday, December 8, 2017 4:10 PM  
**To:** Miller, Brad  
**Subject:** FW: Some logistics for Monday

**From:** Kevin Schmidt [mailto:schmidt@sppgrp.com]  
**Sent:** Friday, December 08, 2017 4:07 PM  
**To:** Lisa Gates <lisa@buckeyeinstitute.org>; Hucke, Justin <Justin.Hucke@ohiohouse.gov>  
**Cc:** Jenna Moll - Justice <jenna@justiceactionnetwork.org>; Holly Harris - Justice <holly@justiceactionnetwork.org>; Precision USJAN Team <jan@precisionstrategies.com>; Patrick O'Connor <oconnor@cgcnc.com>; Gregory Blair <blair@cgcnc.com>; Daniel Dew <daniel@buckeyeinstitute.org>; Jeff Solnet <jeff@precisionstrategies.com>  
**Subject:** Re: Some logistics for Monday

Looping in Justin Hucke in this thread. Justin is Rep. Dever's aide and is compiling a dossier for the Rep of all communication documents, stories, etc. so the Rep can stay on message with the group.

Can we send him anything we've sent out to the press so far and any talking points we have?

On Fri, Dec 8, 2017 at 3:00 PM, Lisa Gates <lisa@buckeyeinstitute.org> wrote:

Jeff will send out some more information and scripts separately, but I wanted to get you a brief outline of how the call will run. Since it is Buckeye's report we thought it best if I am the MC.

Let me know if you have any questions, concerns, ideas, etc.

1:20PM Principals can call into Green Room (Jeff's team will call to remind you to do this if you haven't done so).

1:30PM Media will join the call and the call technician will give some instructions and turn to over to me.

1:32PM Lisa will thank everyone introduce the speakers (name and titles only)

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Lisa A. Gates

*Vice President of Communications*

**The Buckeye Institute**

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**From:** Hucke, Justin  
**Sent:** Monday, December 11, 2017 10:15 AM  
**To:** Miller, Brad  
**Subject:** FW: Some logistics for Monday  
**Attachments:** 20171208\_\_OH\_Report\_Talkers\_Run\_Of\_Show.docx

FYI – I'm going to conference my boss in, if you'd like to join in my office at 1:20pm today.

**From:** Jeff Solnet [mailto:jeff@precisionstrategies.com]  
**Sent:** Monday, December 11, 2017 7:51 AM  
**To:** Kevin Schmidt <schmidt@sppgrp.com>  
**Cc:** Lisa Gates <lisa@buckeyeinstitute.org>; Hucke, Justin <Justin.Hucke@ohiohouse.gov>; Jenna Moll - Justice <jenna@justiceactionnetwork.org>; Holly Harris - Justice <holly@justiceactionnetwork.org>; Precision USJAN Team <jan@precisionstrategies.com>; Patrick O'Connor <oconnor@cgcnc.com>; Gregory Blair <blair@cgcnc.com>; Daniel Dew <daniel@buckeyeinstitute.org>  
**Subject:** Re: Some logistics for Monday

Hi all– A run of show and talking points are available in the attached. Justin– Nice to meet you. Below is the press advisory that the Buckeye Institute has sent out. Additionally, the Cleveland Plain Dealer is out with a curtain raiser this morning and Dayton Daily News covered the legislation on Friday.

Also, as of this morning reporters from Dayton Daily News, Gongwer News, NBC News, the Associated Press, and NPR have RSVP'd for the call.

Talk soon,  
Jeff





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**MEDIA ADVISORY - FOR PLANNING PURPOSES ONLY, NOT FOR  
BROADCAST OR PUBLICATION**

December 11, 2017

**Contacts**

The Buckeye Institute: Lisa Gates, (614) 224-3255, [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

Justice Action Network: [press@justiceactionnetwork.org](mailto:press@justiceactionnetwork.org)

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**PRESS CALL**

**The Buckeye Institute Unveils**

***"Money Bail": Making Ohio a More Dangerous Place to Live***

*New Report Follows Just-Introduced Bail Reform Legislation*

**\*\* DIAL: (510) 281-1113 PW: 447869 \*\***

**\*\* RSVP HERE \*\***

**Columbus, OH -- Today, The Buckeye Institute and Justice Action Network will unveil a new report by Buckeye's Daniel J. Dew that explains the need for cash bail reform in Ohio.**

Titled "*Money Bail: Making Ohio a More Dangerous Place to Live*", the report outlines how relying on cash bail hurts the poor at the expense of taxpayers and gives dangerous defendants the opportunity to buy their way out of jail.

**EMBARGOED COPY OF REPORT. The embargo will lift at 1:30PM ET.**

**WHAT:** Press Call w/ State Representative, The Buckeye Institute  
to Unveil Bail Reform Report

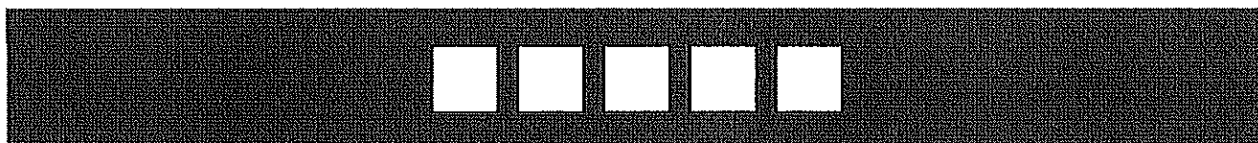
**WHEN:** MONDAY, December 11 at 1:30PM ET

**WHERE:** Dial: (510) 281-1113  
Pin: 447869

**WHO:** State Rep. Jonathan Dever (R-28)  
Daniel Dew, Legal Fellow at The Buckeye Institute's Legal Center  
Holly Harris, Executive Director of the Justice Action Network

**RSVP:** Click here or email: [press@justiceactionnetwork.org](mailto:press@justiceactionnetwork.org) or  
[Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

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The Buckeye  
Institute, 88 East Broad Street, Suite 1120, Columbus, OH 43215

□

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--  
Jeff Solnet  
*Principal*  
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[561.926.0909](tel:561.926.0909) (cell)

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On Fri, Dec 8, 2017 at 4:06 PM, Kevin Schmidt <[schmidt@sppgrp.com](mailto:schmidt@sppgrp.com)> wrote:

Looping in Justin Hucke in this thread. Justin is Rep. Dever's aide and is compiling a dossier for the Rep of all communication documents, stories, etc. so the Rep can stay on message with the group.

Can we send him anything we've sent out to the press so far and any talking points we have?

On Fri, Dec 8, 2017 at 3:00 PM, Lisa Gates <[lisa@buckeyeinstitute.org](mailto:lisa@buckeyeinstitute.org)> wrote:

Jeff will send out some more information and scripts separately, but I wanted to get you a brief outline of how the call will run. Since it is Buckeye's report we thought it best if I am the MC.

Let me know if you have any questions, concerns, ideas, etc.

1:20PM Principals can call into Green Room (Jeff's team will call to remind you to do this if you haven't done so).

1:30PM Media will join the call and the call technician will give some instructions and turn to over to me.

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